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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 16 2011

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Tuesday, January 4, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Commissioners Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Elsbernd	1st and 3rd Monday 10:30 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: Michela Alioto-Pier, John Avalos, David Campos, David Chiu, Carmen Chu; Chris Daly, Bevan Dufty, Sean Elsbernd, Eric Mar, Sophie Maxwell, and Ross Mirkarimi

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:30 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Chu, moved to approve the Board Meeting Minutes of November 23, 2010, December 7, 2010, and December 14, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

101148 [Visitacion Valley Infrastructure Fee Revenue Appropriation - Public Library and Department of Public Works for FY2010-2011- $2,385,068]

Sponsor: Maxwell

Ordinance appropriating $2,385,068 of Visitacion Valley Infrastructure Fee revenue from the Visitacion Valley Infrastructure Fund, including $2,169,200 in the Public Library for the Visitacion Valley Branch Library Project and $215,868 in the Department of Public Works, for the planning and design of utility undergrounding on Leland Avenue for FY2010-2011, and placing $1,156,304 on Controller's reserve in the Public Library pending receipt of Visitacion Valley Infrastructure Fee revenue.

(Fiscal Impact.)

Ordinance No. 4-11

FINALLY PASSED

101444 [Accept and Expend Grant - Chinatown Broadway Streetscape Improvement Design Plan - $250,000]

Sponsor: Chiu

Ordinance authorizing the San Francisco Planning Department to accept and expend a grant in the amount of $250,000 from the California Department of Transportation, Division of Transportation Planning for the FY 2010-2011 Environmental Justice Grant for the Chinatown Broadway Streetscape Improvement Design Plan, and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of one (1) limited duration Job Class 5293 Planner IV, grant funded position (0.06 FTE), in the Planning Department.

Ordinance No. 11-11

FINALLY PASSED

101446 [Accept and Expend Grant - Central Corridor Growth Strategy and Design Plan - $250,000]

Sponsor: Mayor

Ordinance authorizing the San Francisco Planning Department to accept and expend a grant in the amount of $250,000 from the California Department of Transportation, Division of Transportation Planning, for the CalTrans Community-Based Transportation Grant for the Central Corridor Growth Strategy and Design Plan, and amending Ordinance No. 191-10 (Annual Salary Ordinance, FY2010-2011) to reflect the addition of one (1) limited duration Job Class 5293 Planner IV, grant funded position (0.15 FTE), in the Planning Department.

Ordinance No. 2-11

FINALLY PASSED

101463 [Settlement of Lawsuit - Lexington Insurance - City to Receive $2,750,000; Appropriating Settlement Proceeds]

Ordinance authorizing settlement of the lawsuit entitled City and County of San Francisco v. Lexington Insurance Company, San Francisco County Superior Court Case No: CGC-10-498967 (Action), removed to United States District Court, N.D. Cal., Case No: 3:10-CV1-02188-SI, arising from an insurance coverage dispute involving a claims-made Designers and Construction (i.e., professional liability) Project Specific Professional Liability and Pollution Liability Policy issued by Lexington Insurance Company (Lexington) to the San Francisco Public Utilities Commission for the period February 1, 2002, to February 1, 2006, policy number 1152114 (Lexington Policy), calling for payment of $2,750,000 from Lexington to the City and County of San Francisco and including other material terms of said settlement: (1) Lexington will have no further obligations under the Lexington Policy and said policy shall be considered null and void and of no further force and effect; (2) San Francisco will defend and hold harmless and indemnify Lexington from and against any demand against Lexington made under the Lexington Policy; (3) all parties will execute a mutual release; (4) San Francisco will execute and file a dismissal of all claims with prejudice; (5) the City and Lexington each shall bear its own legal costs and fees arising from this action; and appropriating the full proceeds from the settlement to fund the San Francisco Public Utilities Commission's attorney fees and legal expenses related to certain pending litigation matters. (City Attorney)

Ordinance No. 10-11

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

100761 [Environment Code - Restrictions on Pesticide Use]
Sponsors: Mayor; Alioto-Pier
Ordinance amending the San Francisco Environment Code by amending Sections 300, 301, 302, 303, 304, 305, 306, and 308, adding Section 310, and repealing Section 307, all to strengthen restrictions on the use of pesticides on City property, and making environmental findings.

Ordinance No. 7-11

FINALLY PASSED

101419 [Environment Code - Cell Phones; Retailers' Duty to Disclose Specific Absorption Rate Values]
Sponsor: Mar
Ordinance amending the San Francisco Environment Code by amending Sections 1103 and 1105, to require cell phone retailers to provide customers upon request with factsheets regarding Specific Absorption Rate values for cell phones and the use of cell phones, and to delay the enforcement date for certain provisions of the Chapter 11, the "Cell Phone Right-to-Know Ordinance," and making environmental findings.

Ordinance No. 6-11

FINALLY PASSED

101151 [Liquor License Transfer, 1092 Post Street]
Resolution determining that the transfer of a Type 48 on-sale general public premises liquor license from 1028 Geary Street to 1092 Post Street (District 6) to Mark Aloiau for M K Aloiau LLC, dba Mark's Bar, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 5-11

ADOPTED

101286 [Liquor License, 821 Divisadero Street]
Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license (to upgrade current license Type 42 on-sale beer and wine) to Khaled Dajani for Bar 821, located at 821 Divisadero Street (District 5), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 6-11

ADOPTED

101484 [Accept and Expend Grant - Bayview Hunters Point Healthy Homes Project - $249,555]
Sponsor: Maxwell
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $249,555 from the United States Department of Health and Human Services, Centers for Disease Control and Prevention to support the Bayview Hunters Point Healthy Homes Project by developing policies and services to improve indoor air quality in public housing.

Resolution No. 13-11
ADOPTED

Recommendations of the Land Use and Economic Development Committee

100041 [Public Works Code, Administrative Code - Personal Wireless Service Facility Site Permits and Associated Fees]
Sponsors: Avalos; Campos, Mar, Chiu and Chu
Ordinance amending the San Francisco Public Works Code by: (1) adding Article 25, Sections 1500 through 1528, to establish new requirements for Personal Wireless Service Facility Site Permits and to increase certain fees for obtaining such permits, (2) amending the San Francisco Administrative Code by amending Chapter 11, Article 1, Section 11.9, to eliminate obsolete provisions related to such permits, (3) making the provisions of the ordinance retroactive, and (4) making environmental findings.

Ordinance No. 12-11
FINALLY PASSED

101007 [Administrative Code - Revising Requirements for Purchasing Goods and Services]
Sponsors: Chu; Chiu
Ordinance amending Administrative Code Chapters 21 and 21C to conform Purchasing requirements to Administrative Code Chapter 14B by defining minimum competitive amounts of $100,000 for professional services and commodities contracts and $400,000 for general services contracts, clarify "bid-splitting," and make miscellaneous changes to City procurement requirements; to clarify information technology purchases; to update and conform references to Administrative Code Chapter 14B; to rescind the Sealer of Weights and Measures' authority under Section 21.32 to donate food purchases; to rescind the local tax adjustment set forth in Administrative Code Chapter 21C; to enact a new Section 21.32 to adjust bids likely to result in local sales tax revenue; to reenact and renumber Administrative Code Sections 21.25, 21.25-1, 21.25-2, 21.25-3, 21.25-4, and 21.25-x regarding prevailing wage requirements as Chapter 21C; and to make certain technical corrections.

Ordinance No. 9-11
FINALLY PASSED

101091 [Planning Code - Notice Requirement for "Other Entertainment Uses" in the Van Ness Avenue Special Use District]

Sponsors: Alioto-Pier; Chiu

Ordinance amending the San Francisco Planning Code by amending Section 243 to require notice for "Other Entertainment Uses" in the Van Ness Avenue Special Use District; adopting findings, including findings under Section 302 of the Planning Code, environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 5-11

FINALLY PASSED

101247 [Planning Code - Update the Visitacion Valley Community Facilities and Infrastructure Fee and Fund]

Sponsor: Maxwell

Ordinance amending Planning Code Sections 420.1 through 420.5 to update the Visitacion Valley Community Facilities and Infrastructure Fee and Fund and to conform the program with other Area Plan fee programs; making conforming changes to Sections 401 (definitions) and 406 (waiver, reduction, or adjustment of development project requirements); and making findings, including environmental findings.

Ordinance No. 3-11

FINALLY PASSED

101447 [Accept and Expend Grant - Market and Octavia Historic Resource Preservation Project - $83,529]

Sponsor: Chiu

Resolution authorizing the San Francisco Planning Department to retroactively accept and expend a grant in the amount of $83,529 from the National Park Service for the period August 1, 2010, through August 31, 2012, in order to conduct the Market and Octavia Historic Resource Preservation Project.

Resolution No. 12-11

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

101609 [Findings Disapproving Conditional Use for Property Located at 10 Bernal Heights Boulevard]

Motion adopting findings disapproving the Planning Commission's approval of Conditional Use Authorization No. 2010.0306C (which approved the installation of wireless telecommunications facility consisting of five internet exchange switch antennas on an existing 50 foot tall communications tower and to modify the conditional use approval under Case No. 2008.1157C to change the number of allowed antennas on the site within a RH-1(D) zoning district and a 40-X height and bulk district).

Motion No. M11-1

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Recommendations of the Land Use and Economic Development Committee

101006 [Administrative Code - Revisions to Local Business Enterprise Ordinance]

Sponsors: Chu; Chiu

Ordinance amending Administrative Code Chapter 14B to increase minimum competitive amount for general services contracts to $400,000; to clarify ownership requirements for certification of local businesses with no single majority owner and make other clarifications to address certification of businesses under common ownership or with multiple locations; to clarify requirements for setting aside contracts under the mandatory Micro-LBE Set-Aside program; to exclude contracts under the threshold amount or minimum competitive amount from good faith efforts outreach and documentation requirements; to simplify and coordinate reporting requirements; to re-authorize the Treasurer to negotiate financial instruments in support of the Surety Bond and Financial Assistance Program after these provisions were inadvertently rescinded; and to make technical corrections.

Ordinance No. 8-11

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

101094 [Administrative Code - Child Care Centers for City Projects and City-Funded Private Projects]

Sponsors: Dufty; Alioto-Pier, Chiu, Mar, Maxwell and Campos

Ordinance amending the San Francisco Administrative Code by adding Chapter 29B to require a City agency, or a private developer that receives City funds for a development project, as defined, to prepare a feasibility study for providing an on-site child care center whenever it plans to construct or purchase a building, lease more than 50 percent of space in a private building for an initial term of more than one year, or alter more than 50 percent of the space in an existing building; adopting findings, including environmental findings.

Ordinance No. 1-11

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100495 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice]

Sponsor: Alioto-Pier

Ordinance amending the San Francisco Administrative Code Chapter 31 to provide for appeals to the Board of Supervisors of certain environmental documents under the California Environmental Quality Act, to clarify procedures and to provide public notice of environmental documents.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Ordinance be RE-REFERRED to the Land Use and Economic Development Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Recommendation of the Public Safety Committee

100455 [Environment Code - San Francisco Safe Drug Disposal Ordinance]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Environment Code by adding Chapter 22, Sections 2201 through 2211, to: require any person who produces a drug offered for sale in San Francisco to participate in an approved drug stewardship program for the collection and disposal of unwanted drugs from residential sources; provide for implementation, enforcement, fees, and penalties; and phase-in the application of the Chapter to non-prescription drugs and controlled substances; and making environmental findings.

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to January 18, 2011. The motion carried by the following vote: Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Mirkarimi, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to January 25, 2011. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

NEW BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

101482 [Annual Reports - Castro/Upper Market Community Benefit District]
Sponsor: Dufty
Resolution regarding Castro/Upper Market Community Benefit District annual reports to the City: receiving and approving the District's Annual Reports for FYs 2006-2007, 2007-2008, and 2008-2009, as submitted pursuant to Section 36650 of the Business Property and Community Benefit Act of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the District's management contract with the City.

Resolution No. 16-11

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

From the City Operations and Neighborhood Services Committee Without Recommendation

101445 [Public Works Code - Banners on the Path of Gold]
Sponsor: Dufty
Ordinance amending Public Works Code Section 184.78 to allow city neighborhood banners, as defined in Section 184.78, to be posted on the Path of Gold lamp posts lining Market Street, and adopting environmental findings.

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

091365 [Supporting the Report of the Declining Fossil Fuel Supplies]
Sponsors: Mirkarimi; Mar
Resolution in support of the measures and actions to mitigate the effects of declining fossil fuel supplies recommended in the report of the San Francisco Peak Oil Preparedness Task Force.

ADOPTED by the following vote:
Ayes: 8 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Noes: 3 - Alioto-Pier, Chu, Elsbernd

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Resolution No. 23-11

ADOPTED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Daly, Mar, Maxwell, Mirkarimi
Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd

Recommendations of the Government Audit and Oversight Committee

101358 [Annual Reports - Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District]
Sponsor: Chiu
Resolution approving annual reports to the City for Fisherman's Wharf Community Benefit District and for Fisherman's Wharf Portside Community Benefit District, receiving and approving the Districts' Annual Reports for FYs 2006-2007, 2007-2008, and 2008-2009, as submitted pursuant to Section 36650 of the Business Property and Community Benefit Act of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the Districts' management contracts with the City.

Resolution No. 15-11

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

101361 [Annual Reports - Noe Valley Community Benefit District]
Sponsor: Dufty
Resolution regarding Noe Valley Community Benefit District annual reports to the City, receiving and approving the District's annual reports for District FYs 2006-2007, 2007-2008, and 2008-2009, as submitted pursuant to Section 36650 of the Business Property and Community Benefit Act of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the District's management contract with the City.

Resolution No. 14-11

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

101466 [Public Hearing - Appointment of a Successor Mayor]
Sponsor: Daly

Hearing to discuss the proposed Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 101467. Abdallah Megahed; Male Speaker; Velma Herrera; Juana Villenueva; Male Speaker; Paulette Browne; Clemintina Graciela; Jorge Garcia; Female Speaker; Carl Stark; Edmund Juicye; Jose Morales; Otto Duffy; expressed various concerns relating to the appointment of a Successor Mayor. There were no other speakers. The President declared public comment closed.

HEARD AT PUBLIC HEARING

101467 [Selection of a Successor Mayor - Edwin Lee]
Sponsor: Daly
Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

NOMINATIONS
Supervisor Campos nominated Sherriff Michael Hennessy.
Supervisor Mirkarimi nominated Former Mayor Art Agnos.
Supervisor Elsbernd nominated City Administrator Edwin Lee.
Supervisor Daly nominated Former Supervisor Aaron Peskin.

President Chiu asked if there were any further nominations. There being no response, the nominations for Successor Mayor were then closed.

SELECTION OF THE SUCCESSOR MAYOR
The roll was called on the nominations of Supervisors Campos, Mirkarimi, Elsbernd, and Daly.

ROUND 1
Motion to select Sherriff Michael Hennessy as Successor Mayor failed by the following vote:
Ayes: 5 - Avalos, Campos, Daly, Mar, Mirkarimi
Noes: 6 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Maxwell

Motion to select Former Mayor Art Agnos as Successor Mayor failed by the following vote:
Ayes: 4 - Campos, Daly, Mar, Mirkarimi
Noes: 7 - Alioto-Pier, Avalos, Chiu, Chu, Dufty, Elsbernd, Maxwell

Motion to select City Administrator Edwin Lee failed by the following vote:
Ayes: 4 - Alioto-Pier, Chiu, Chu, Elsbernd
Noes: 7 - Avalos, Campos, Daly, Dufty, Mar, Maxwell, Mirkarimi

Motion to select Former Supervisor Aaron Peskin failed by the following vote:
Ayes: 3 - Campos, Daly, Mirkarimi
Noes: 8 - Alioto-Pier, Avalos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

RECESS
Supervisor Dufty, seconded by Supervisor Alioto-Pier to recess until 8:45 p.m. passed by the following vote:
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

ROUND 2
Motion to select Sherriff Michael Hennessy as Successor Mayor failed by the following vote:
Ayes: 5 - Avalos, Campos, Daly, Mar, Mirkarimi
Noes: 6 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Maxwell

Motion to select Former Mayor Art Agnos as Successor Mayor failed by the following vote:
Ayes: 3 - Campos, Daly, Mirkarimi
Noes: 8 - Alioto-Pier, Avalos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell

Motion to select City Administrator Edwin Lee failed by the following vote:
Ayes: 5 - Alioto-Pier, Chiu, Chu, Elsbernd, Maxwell
Noes: 6 - Avalos, Campos, Daly, Dufty, Mar, Mirkarimi

Motion to select Former Supervisor Aaron Peskin failed by the following vote:
Ayes: 3 - Campos, Daly, Mirkarimi
Noes: 8 - Alioto-Pier, Avalos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

WITHDRAWL
Supervisor Mirkarimi withdrew his nomination of Former Mayor Art Agnos.

RECESS
Supervisor Avalos, seconded by Supervisor Mirkarimi to recess until 9:45 p.m. passed by the following vote:
Ayes: 9 - Avalos, Campos, Chiu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 2 - Alioto-Pier, Chu

Supervisor Avalos, seconded by Supervisor Campos, moved that this Motion be RECESSED to January 7, 2011, at 3:00 p.m. The motion carried by the following vote:

Ayes: 6 - Avalos, Campos, Daly, Mar, Maxwell, Mirkarimi
Noes: 5 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd

The President recessed File No. 101467 as the Committee of the Whole to January 7, 2011, at 3:00 p.m.

Committee of the Whole Adjourn and Report

SPECIAL ORDER 3:00 P.M

Board of Supervisors Sitting as a Committee of the Whole

101526 [Public Hearing - Establish the Civic Center Community Benefit District]
Sponsor: Mayor

Hearing of persons interested in or objecting to proposed Resolution establishing a property-based business improvement district to be known as the "Civic Center Community Benefit District," ordering the levy and collection of assessments against property located in that district for ten years commencing with FY2011-2012, subject to conditions as specified, and making environmental findings. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 101527. Lisa Pagan (OEWD) provided an overview and responded to questions raised throughout the discussion. Karen Eckland; Tim Haas; Ernestine Weiss; Debra Newman; Jennifer Norris; Martin Reed; Jim Chapel; spoke in support of the assessment district. Gio Wiederhold; James Chaffee; David Gisam; Peter Warfield; Jim Curran; Bob Stewart; Male Speaker; Edmund Juicye; Male Speaker; Nancy Cross; spoke in opposition of the assessment district. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

101527 [Resolution to Establish the Civic Center Community Benefit District]
Sponsor: Mayor

Resolution establishing a property-based business improvement district to be known as the "Civic Center Community Benefit District," ordering the levy and collection of assessments against property located in that district for ten years commencing with FY2011-2012, subject to conditions as specified, and making environmental findings.

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that the returned weighted ballots voting for the Civic Center Community Benefit District Report No. 1 was 86.50%, and the returned weighted ballots voting against the Civic Center Community Benefit District was 13.50%, further indicating there was no majority protest. Ms. Calvillo continued by informing the Board of Supervisors that the returned weighted ballots voting for the Civic Center Community Benefit District Report No. 2, which was amended to remove the residential parcels at 601 Van Ness Avenue "Opera Plaza" was 89.89%, and the returned weighted ballots voting against the Civic Center Community Benefit District was 10.11%, further indicating there was no majority protest.

Privilege of the floor was granted to Lisa Pagan (OEWD) who provided an overview of the results and the amended report which removed the residential parcels at 601 Van Ness Avenue "Opera Plaza."

Resolution No. 21-11

ADOPTED by the following vote:

Ayes: 6 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Maxwell
Noes: 5 - Avalos, Campos, Daly, Mar, Mirkarimi

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Alioto-Pier introduced, welcomed, and presented a Certificate of Honor to Allison Davis in recognition of her accomplishments and continued community support.

President Chiu presented a Certificate of Honor to Supervisor Alioto-Pier in recognition for her distinguished service as Member of the San Francisco Board of Supervisors. Supervisors Elsbernd, Chu, Maxwell, Campos, Mirkarimi, Avalos, and Mar shared in her commendation.

President Chiu presented a Certificate of Honor to Supervisor Daly in recognition for his distinguished service as Member of the San Francisco Board of Supervisors. Supervisors Avalos, Mar, Campos, Mirkarimi, Chu, and Maxwell shared in his commendation.

President Chiu presented a Certificate of Honor to Supervisor Dufty in recognition for his distinguished service as Member of the San Francisco Board of Supervisors. Supervisors Campos, Alioto-Pier, Maxwell, Mar, Chu, Avalos, Mirkarimi, and Elsbernd shared in his commendation.

President Chiu presented a Certificate of Honor to Supervisor Maxwell in recognition for her distinguished service as Member of the San Francisco Board of Supervisors. Supervisors Dufty, Alioto-Pier, Elsbernd, Campos, Mar, Avalos, Mirkarimi, and Chu shared in her commendation.

Privilege of the floor was granted to Dennis Herrera, City Attorney, who shared in the commendations for the departing Supervisors.

SPECIAL ORDER 4:00 P.M.

101551 [Public Hearing - Appeal of Tentative Parcel Map for 74-76 Castro Street]
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated November 30, 2010, approving a Tentative Parcel Map for a 2-unit condominium conversion located at 74-76 Castro Street, Lot No. 013, in Assessor's Block No. 2611. (District 8) (Appellant: James Coy Driscoll on behalf of Martin Hyland) (Clerk of the Board)
(Filed December 10, 2010; Companion Measure to File Nos. 101552, 101553 and 101554.)

The President inquired as to whether any member of the public wished to address the Board relating to a continuance. Martin Hyland (Appellant) spoke in support of a continuance. There were no other speakers. The President continued the public hearing open to January 25, 2011.

Supervisor Dufty, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to January 25, 2011. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

101552 [Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map for 74-76 Castro Street]

Motion approving the decision of the Department of Public Works, finding the Tentative Parcel Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and approving the Tentative Parcel Map for a 2-lot condominium conversion subdivision located at 74-76 Castro Street, Assessor's Block No. 2611, Lot No. 013.

Supervisor Dufty, seconded by Supervisor Campos, moved that this Motion be CONTINUED to January 25, 2011. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

101553 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map for 74-76 Castro Street]

Motion disapproving the decision of the Department of Public Works, finding the Tentative Parcel Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and disapproving the Tentative Parcel Map for a 2-lot condominium conversion subdivision located at 74-76 Castro Street, Assessor's Block No. 2611, Lot No. 013. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Campos, moved that this Motion be CONTINUED to January 25, 2011. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

101554 [Findings Related to the Tentative Parcel Map Disapproval for 74-76 Castro Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-lot condominium conversion subdivision located at 74-76 Castro Street, Assessor's Block No. 2611, Lot No. 013. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Campos, moved that this Motion be CONTINUED to January 25, 2011. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

COMMITTEE REPORTS

Recommendations of the Rules Committee

101507 [Appointment, Public Utilities Commission - Vince Courtney]

Motion approving the Mayor's appointment of Vince Courtney to the Public Utilities Commission, Seat No. 5, for the unexpired portion of a four-year term ending August 1, 2012. (Clerk of the Board)

Motion No. M11-2

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

101508 [Appointment, Public Utilities Commission - Vince Courtney]
Motion rejecting the Mayor's appointment of Vince Courtney to the Public Utilities Commission, Seat No. 5, for the unexpired portion of a four-year term ending August 1, 2012. (Clerk of the Board)

This item was not sent as a Committee Report.

101509 [Reappointment, Historic Preservation Commission - Andrew Wolfram]
Motion approving the Mayor's nomination for reappointment of Andrew Wolfram to the Historic Preservation Commission, Seat No. 2, for a four-year term ending December 31, 2014. (Clerk of the Board)
(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File No. 101510. Transmittal date - December 1, 2010.)

This item was not sent as a Committee Report.

101510 [Reappointment, Historic Preservation Commission - Andrew Wolfram]
Motion rejecting the Mayor's nomination for reappointment of Andrew Wolfram to the Historic Preservation Commission, Seat No. 2, for a four-year term ending December 31, 2014. (Clerk of the Board)
(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File No. 101509. Transmittal date - December 1, 2010.)

This item was not sent as a Committee Report.

101511 [Appointment, Historic Preservation Commission - Richard Johns]
Motion approving the Mayor's nomination for appointment of Richard Johns to the Historic Preservation Commission, Seat No. 4, for a four-year term ending December 31, 2014. (Clerk of the Board)
(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File No. 101512. Transmittal date - December 1, 2010.)

This item was not sent as a Committee Report.

101512 [Appointment, Historic Preservation Commission - Richard Johns]

Motion rejecting the Mayor's nomination for appointment of Richard Johns to the Historic Preservation Commission, Seat No. 4, for a four-year term ending December 31, 2014. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File No. 101511. Transmittal date - December 1, 2010.)

This item was not sent as a Committee Report.

101513 [Reappointment, Historic Preservation Commission - Karl Hasz]

Motion approving the Mayor's nomination for reappointment of Karl Hasz to the Historic Preservation Commission, Seat No. 6, for a four-year term ending December 31, 2014. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File No. 101514. Transmittal date - December 1, 2010.)

This item was not sent as a Committee Report.

101514 [Reappointment, Historic Preservation Commission - Karl Hasz]

Motion rejecting the Mayor's nomination for reappointment of Karl Hasz to the Historic Preservation Commission, Seat No. 6, for a four-year term ending December 31, 2014. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File No. 101513. Transmittal date - December 1, 2010.)

This item was not sent as a Committee Report.

101516 [Confirming Appointments, San Francisco Relocation Appeals Board - Harry Kim and Herb Cohn]

Sponsor: Mayor

Resolution confirming the appointments of Harry Kim and Herb Cohn to the San Francisco Relocation Appeals Board, terms ending January 2, 2012.

This item was not sent as a Committee Report.

101517 [Confirming Appointment, City Hall Preservation Advisory Commission - Florence Kong]

Sponsor: Mayor

Resolution confirming the appointment of Florence Kong to the City Hall Preservation Advisory Commission, term ending January 13, 2012.

This item was not sent as a Committee Report.

101518 [Confirming Appointment, Municipal Transportation Agency Board of Directors - Leona Bridges]
Sponsor: Mayor
Resolution confirming the appointment of Leona Bridges to the Municipal Transportation Agency Board of Directors, term ending March 1, 2014.

Resolution No. 20-11

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

101296 [Confirming Appointment, Port Commission - Michael Kim]
Sponsor: Mayor
Motion confirming the appointment of Michael Kim to the Port Commission, term ending May 1, 2014.

This item was not sent as a Committee Report.

101515 [Confirming Appointment, Port Commission - Leslie Katz]
Sponsor: Mayor
Motion confirming the appointment of Leslie Katz to the Port Commission, term ending May 1, 2014.

Supervisor Mar, seconded by Supervisor Campos, moved that this Motion be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed various concerns.
Male Speaker; expressed various concerns.
Alan Jones; expressed concerns relating to treatment of homosexuals.
Reynaldo and Ernesto; expressed concerns relating to the motion to sit as a Committee of the Whole to appoint a Successor Mayor.
Michele Flowers; expressed concerns relating to due process.
Ruthanne Shpiner; spoke in opposition to KPFA legislation.
David Warstrom; spoke in opposition to KPFA legislation.
Laura Rivera; spoke in opposition to KPFA legislation.
Stan Woods; spoke in opposition to KPFA legislation.
Gio Wiederhold; expressed concerns relating to community benefit districts.
Ace Washington; expressed various concerns.
Peter Warfield; spoke regarding departing Supervisors.
Tomas Picanelli; spoke regarding departing Supervisors.
Francisco DaCosta; expressed concerns relating to the motion to sit as a Committee of the Whole to appoint a Successor Mayor.
Ray Hartz; expressed concerns relating to government.
Cathy Grimmer; expressed concerns relating to community benefit districts.
Male Speaker; expressed concerns relating to community benefit districts.
Ernestine Weiss; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

101566 [Accept and Expend Grant - Integrating I-Tech International AIDS Education & Training Center - $13,001]
Sponsor: Chu
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $13,001 from the University of California San Francisco, to participate in a program entitled "Integrating I-Tech International AIDS Education and Training Center" for the period of April 1, 2010, through March 31, 2011.

Resolution No. 11-11

ADOPTED

101567 [Accept and Expend Grant - Oil Spill Response Planning - $31,000]
Sponsor: Chu
Resolution retroactively authorizing the Department of Emergency Management to accept and expend a grant in the amount of $31,000 from the California Department of Fish and Game for oil spill response planning for the period July 1, 2010, through June 30, 2011.

Resolution No. 9-11

ADOPTED

101569 [Accept and Expend Gift - Golden Gate Park Irrigation - $73,146]
Sponsor: Mar
Resolution authorizing the Recreation and Park Department to accept and expend a gift from Warren Hellman and the Hardly Strictly Bluegrass Festival of $73,146 to improve the irrigation systems in Speedway, Lindley, and Marx Meadows in Golden Gate Park. (Recreation and Park Department)

Resolution No. 8-11

ADOPTED

101570 [Accept and Expend Grant - Sudden Oak Death - $896]
Sponsor: Mar
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant (Agreement #10-0511) from the California Department of Food and Agriculture in the amount of $896 to fund the project "Sudden Oak Death" for the period of July 1, 2010, through June 30, 2011. (Public Health Department)

Resolution No. 10-11

ADOPTED

101571 [Amending Public Hearing Date Relating to Infrastructure Financing District - Rincon Hill - from January 25, 2011, at 3:00 p.m., to February 8, 2011, at 3:00 p.m.]
Sponsors: Mayor; Maxwell
Resolution amending Resolution No. 496.10 to reschedule the public hearing date relating to the formation of Infrastructure Financing District No. 1 (Rincon Hill Area), from January 25, 2011, at 3:00 p.m., to February 8, 2011, at 3:00 p.m.

Resolution No. 17-11

ADOPTED

101573 [Extending the Term of Service for the Power Plant Task Force]
Sponsor: Maxwell
Resolution extending the termination date of the Power Plant Task Force to December 31, 2011.

Resolution No. 19-11

ADOPTED

101596 [Commending Supervisor Michela Alioto-Pier]
Sponsor: Chiu
Resolution Commending and Honoring Supervisor Michela Alioto-Pier for her distinguished service as a Supervisor of the City and County of San Francisco.

Resolution No. 4-11

ADOPTED

101597 [Commending Supervisor Chris Daly]
Sponsor: Chiu
Resolution Commending and Honoring Supervisor Chris Daly for his distinguished service as a Supervisor of the City and County of San Francisco.

Resolution No. 2-11

ADOPTED

101598 [Commending Supervisor Bevan Dufty]
Sponsor: Chiu
Resolution Commending and Honoring Supervisor Bevan Dufty for his distinguished service as a Supervisor of the City and County of San Francisco.

Resolution No. 3-11

ADOPTED

101599 [Commending Supervisor Sophie Maxwell]
Sponsor: Chiu
Resolution Commending and Honoring Supervisor Sophie Maxwell for her distinguished service as a Supervisor of the City and County of San Francisco.

Resolution No. 1-11

ADOPTED

101568 [Directing the Budget and Legislative Analyst's to Conduct Three Audits in FY2010-2011 and Set the Priority for These Three Audits]
Sponsor: Mar
Motion directing the Budget and Legislative Analyst to conduct three audits to evaluate (a) the City's policies and revenues for advertising on public property; (b) the financial impact to the City of the provisions for Standby Pay, Lead Pay, and other related premium pay in the fiscal provisions of the City's Memoranda of Understanding with Labor Unions; and (c) the impact of hiring five new positions in the Assessor's Office on the property assessment backlog and property tax revenue.

Motion No. M11-4

APPROVED

101580 [Final Map 5871: 1597 - 1599 Haight Street and 612 Clayton Street]
Motion approving Final Map 5871, a Six Unit Mixed-Use Condominium Project (4 Unit Residential and 2 Unit Commercial), located at 1597 - 1599 Haight Street and 612 Clayton Street being a subdivision of Lot 023 in Assessors Block No. 1245 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-5

APPROVED

101581 [Final Map 6004: 121-9th Street]

Motion approving Final Map 6004, a 21 Unit Mixed-Use Condominium Project (20 Unit Residential and 1 Unit Commercial), located at 121-9th Street being a subdivision of Lot 069 in Assessors Block No. 3728 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-6

APPROVED

101582 [Final Map 5691: 995 - 999 Sutter Street]

Motion approving Final Map 5691, a Two Lot Subdivision, Parcel "B" being a Three Residential Unit and One Commercial Unit Condominium Project, located at 995 - 999 Sutter Street being a subdivision of Lot 012 in Assessors Block No. 0300 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-7

APPROVED

101583 [Final Map 5955: 1816 Eddy Street]

Motion approving Final Map 5955, a 19 Residential Unit Condominium Project, located at 1816 Eddy Street being a subdivision of Lot 064 in Assessors Block No. 1127 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-8

APPROVED

101584 [Final Map 4169: 660 King Street]

Motion approving Final Map 4169, a 21 Commercial Unit and 148 Residential Unit Mixed-Use Condominium Project, located at 660 King Street being a subdivision of Lot 007 in Assessors Block No. 3799 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-9

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Severed from the For Adoption Without Committee Reference Agenda

The President requested that File No. 101465 be severed so that it may be considered separately.

101465 [Committee of the Whole - Public Hearing to Take Nominations and Appoint a Successor Mayor in the Event of a Vacancy in the Office of the Mayor]
Sponsor: Daly
Motion that the Board of Supervisors convene as a Committee of the Whole on January 4, 2011, at 3:00 p.m., to discuss the proposed Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 101465. See general public comment. Orry P. Korb, Nancy J. Clark, and James Williams, Outside Counsel from Santa Clara County, responded to questions raised throughout the discussion. There were no other speakers. The President declared public comment closed.

Motion No. M11-3

APPROVED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 2 - Alioto-Pier, Dufty

Supervisor Alioto-Pier requested that File No. 101529 be severed so that it may be considered separately.

101529 [Supporting the KPFA Morning Show]
Sponsors: Avalos; Campos, Mar and Mirkarimi
Resolution expressing concern about recent layoffs of the KPFA Morning Show staff and urging Pacific Radio, KPFA's Local Board, the staff members and their union to find a solution to the current programming crisis.

Resolution No. 22-11

ADOPTED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Daly, Elsbernd, Mar, Mirkarimi
Noes: 4 - Alioto-Pier, Chu, Dufty, Maxwell

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

110005 [Family Service Agency Day - February 17, 2011]
Sponsor: Dufty
Resolution declaring February 17, 2011, as Family Service Agency Day to recognize its 121 year legacy of reform, innovation and concern for the most vulnerable of San Francisco's residents.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 110005. There were no speakers. The President declared public comment closed.

Resolution No. 7-11

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

110006 [Suzy Loftus Day - January 4, 2011]
Sponsor: Alioto-Pier
Resolution declaring January 4, 2011, as Suzy Loftus Day in the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 110006. There were no speakers. The President declared public comment closed.

Resolution No. 18-11

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or Mayor

Ordinances

110008 [Planning Code - Amending Inclusionary Housing Ordinance to Add New Alternative in Market and Octavia Plan Area]
Sponsor: Dufty
Ordinance amending the San Francisco Planning Code by amending Section 415.5 to provide for a new land dedication alternative in the Market and Octavia Plan Area in lieu of payment of the Affordable Housing Fee; and adding Section 415.10 to provide for the requirements of such land dedication; making findings including environmental findings and findings of consistency with the Priority Policies and the General Plan.

01/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/3/2011.

110009 [Planning Code - Amending Area Plan Fee Waiver Criteria for Affordable Housing]
Sponsor: Cohen
Ordinance amending the San Francisco Planning Code by amending Section 406 to revise the criteria for waiver of Area Plan fees, including the Rincon Hill Community Infrastructure Impact Fee, the Market and Octavia Community Improvements Impact Fee, the Eastern Neighborhoods Infrastructure Impact Fee, the Balboa Park Impact Fee, and the Visitacion Valley Community Facilities and Infrastructure Impact Fee, for affordable housing projects; and making findings, including environmental findings.

01/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/3/2011.

110010 [Planning Code - Zoning - NC-3 District of Fillmore Street between Bush and McAllister Streets]
Sponsor: Mirkarimi
Ordinance (1) amending Section 145.4 of the San Francisco Planning Code to require active ground-floor commercial uses in properties fronting on Fillmore Street between Bush and McAllister Streets in the NC-3 District; and (2) adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

01/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/3/2011.

110011 [Administrative Code - Composition - Justice Tracking Information System Committee Governance Council]
Sponsor: Mayor
Ordinance amending the San Francisco Administrative Code Section 2A.85 to add the City Administrator as a member of the Justice Tracking Information System (JUSTIS) Committee Governance Council and to designate the City Administrator as the Chair of the Council.

01/04/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 2/3/2011.

110012 [Accept and Expend Grant - Clean Energy Workforce Training Program and Amendment to the Annual Salary Ordinance for FY2010-2011 - $603,888]
Sponsors: Mayor; Mar
Ordinance authorizing the Mayor's Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $603,888 from the California Employment Development Department to support the Clean Energy Workforce Training Program, and amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of one (1) grant funded 9772 Community Development Specialist position at 0.6 FTE in FY2010-2011 in the Mayor's Office of Economic and Workforce Development.

01/04/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100495 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice]
Sponsor: Alioto-Pier
Ordinance amending the San Francisco Administrative Code Chapter 31 to provide for appeals to the Board of Supervisors of certain environmental documents under the California Environmental Quality Act, to clarify procedures and to provide public notice of environmental documents.

04/20/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/21/2010.

04/27/10; REFERRED TO DEPARTMENT.

05/04/10; RESPONSE RECEIVED.

07/14/10; RESPONSE RECEIVED.

07/20/10; SUBSTITUTED.

07/20/10; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

07/26/10; REFERRED TO DEPARTMENT.

09/21/10; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

09/23/10; REFERRED TO DEPARTMENT.

11/16/10; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

12/14/10; CONTINUED ON FIRST READING.

01/04/11; RE-REFERRED to Land Use and Economic Development Committee.

Resolutions

110005 [Family Service Agency Day - February 17, 2011]
Sponsor: Dufty
Resolution declaring February 17, 2011, as Family Service Agency Day to recognize its 121 year legacy of reform, innovation and concern for the most vulnerable of San Francisco's residents.

01/04/11; ADOPTED.

110006 [Suzy Loftus Day - January 4, 2011]
Sponsor: Alioto-Pier
Resolution declaring January 4, 2011, as Suzy Loftus Day in the City and County of San Francisco.

01/04/11; ADOPTED.

110013 [Accept and Expend Grant - Community Services Block Grant - $750,000]
Sponsor: Mayor
Resolution authorizing the Mayor's Office of Economic and Workforce Development to retroactively accept and expend a Community Services Block Grant in the amount of $750,000 from the California State Department of Community Services and Development, through the Economic Opportunity Council, to support CityBuild, the Summer Youth Employment Program, and RAMP SF.

01/04/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110015 [Accept and Expend Grant - With Open Arms - $12,500]
Sponsor: Mirkarimi
Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of $12,500 from van Löben Sels/RembeRock Foundation for mentoring and enrichment programming for participants in the With Open Arms initiative.

01/04/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110016 [Authorization to Apply for CalFire State Grant - Urban Forest Enhancement]
Sponsor: Mayor
Resolution authorizing the Department of the Environment for the City and County of San Francisco to apply for funding from the Department of Forestry and Fire Protection (CalFire) for a project to plant fruit bearing trees on appropriate City land.

01/04/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

101601 [Appointment, Health Officer - Tomás Javier Aragón]
Sponsor: Chiu
Motion appointing Tomás Javier Aragón, effective on December 15, 2010, to the position of Health Officer for the City and County of San Francisco.

12/29/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110007 [Appointment of a Successor Mayor - Edwin Lee]
Motion to ratify the appointment of a successor Mayor due to the occurrence of a vacancy in the Office of the Mayor for a term expiring January 8, 2012. (Clerk of the Board)

01/04/11; ASSIGNED to Board of Supervisors.

101515 [Confirming Appointment, Port Commission - Leslie Katz]
Sponsor: Mayor
Motion confirming the appointment of Leslie Katz to the Port Commission, term ending May 1, 2014.

12/01/10; RECEIVED AND ASSIGNED to Rules Committee.

01/04/11; RE-REFERRED to Rules Committee.

Request for Hearing

110014 [Hearing - Use of Segways in Golden Gate Park Safety Regulations]
Sponsor: Mar
Hearing to discuss the safety regulations regarding the use of Segways in Golden Gate Park.
01/04/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

101576 [Settlement of Lawsuit - CCSF v. Alexander A. Deanda, et al. - City to Receive $75,000]
Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against Alexander A. Deanda, Gerald T. Lyons, and Sheldon Morris for $45,000 from defendant Alexander A. Deanda and $30,000 from Gerald T. Lyons; the lawsuit was filed on November 24, 2008, in San Mateo Superior Court, Case No. Civ 482-183; entitled City and County of San Francisco, et al. v. Alexander A. Deanda, et al.; the City has not yet settled with defendant Sheldon Morris. (City Attorney)
12/06/10; RECEIVED AND ASSIGNED to Rules Committee.

101577 [Settlement of Lawsuit - Gang Hao O'Neil/James O'Neil - $270,000]
Ordinance authorizing settlement of the lawsuit filed by Gang Hao O'Neil and James O'Neil against the City and County of San Francisco for $270,000; the lawsuit was filed on October 5, 2009, in the San Francisco Superior Court, Case No. CGC 09-491579, entitled Gang Hao O'Neil and James O'Neil v. City and County of San Francisco. (City Attorney)
12/06/10; RECEIVED AND ASSIGNED to Rules Committee.

101585 [Settlement of Lawsuit - Kevin Montague - $60,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Kevin Montague against the City and County of San Francisco for $60,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)
12/20/10; RECEIVED AND ASSIGNED to Rules Committee.

101586 [Settlement of Lawsuit - Vladimar Belfor/Victor Kanevsky - $34,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Vladimar Belfor and Victor Kanevsky against the City and County of San Francisco for $34,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)
12/20/10; RECEIVED AND ASSIGNED to Rules Committee.

101587 [Settlement of Lawsuit - David Cheung dba Kwok Shing Hong - $350,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by David Cheung, individually and dba Kwok Shing Hong against the City and County of San Francisco for $350,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

12/20/10; RECEIVED AND ASSIGNED to Rules Committee.

101588 [Settlement of Lawsuit - KLW, LLC - $210,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by KLW, LLC against the City and County of San Francisco for $210,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

12/20/10; RECEIVED AND ASSIGNED to Rules Committee.

101589 [Settlement of Lawsuit - Sunday Bazaar/2170 Folson, LLC - $127,372]
Ordinance authorizing settlement of the portion of the lawsuit filed by Sunday Bazaar/2170 Folson, LLC, against the City and County of San Francisco for $127,372; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

12/20/10; RECEIVED AND ASSIGNED to Rules Committee.

101590 [Settlement of Lawsuit - Kroll Furniture - $65,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Kroll Furniture against the City and County of San Francisco for $65,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

12/20/10; RECEIVED AND ASSIGNED to Rules Committee.

101591 [Settlement of Lawsuit - Alphonso Oliphant/Bruce Woodard - $55,000]
Ordinance authorizing settlement of the claims made by Alphonso Oliphant and Bruce Woodard in a lawsuit filed against the City and County of San Francisco and William Siffermann for $55,000; the lawsuit was filed on November 5, 2008, in the United States District Court, Case No. CV08-5048 MMC; entitled Alphonso Oliphant, Roger Gainey and Bruce Woodard v. City and County of San Francisco, Juvenile Probation Department and William Siffermann. (City Attorney)

12/20/10; RECEIVED AND ASSIGNED to Rules Committee.

101592 [Settlement of Lawsuit - Mackin, et al. - City to Pay $63,020 for Easement]
Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against Kenneth Paul Mackin and Janice Mackin; Pacific Gas & Electric Company; Fremont Bank; and Does 1 through 100, to condemn and take by right of eminent domain a temporary construction easement over portions of real property located in Sunol, California, APN 096-0001-020-03; filed May 24, 2010, in Alameda County Superior Court, Case No. RG-10516566; entitled City of San Francisco v. Kenneth Paul Mackin and Janice Mackin; Pacific Gas & Electric Company; Fremont Bank; and Does 1 through 100. (City Attorney)

12/21/10; RECEIVED AND ASSIGNED to Rules Committee.

101600 [Settlement of Lawsuit - National Union - City to Receive $925,000; Appropriating Settlement Proceeds]

Ordinance authorizing settlement of the lawsuit entitled City and County of San Francisco v. National Union, etc., et al., United States District Court, N.D. Cal., Case No: CV-103385-SI, arising from an insurance dispute involving policies issued by National Union Fire Insurance Company of Pittsburgh and sister company Chartis Specialty Insurance Company to the San Francisco Public Utilities Commission, calling for payment of $925,000 from National Union to the City and County of San Francisco and including other material terms of said settlement; and appropriating settlement proceeds. (City Attorney)

12/22/10; RECEIVED AND ASSIGNED to Rules Committee.

101608 [Settlement of Lawsuit - AboveNet Communications, Inc. - $183,479.00]

Ordinance authorizing settlement of the lawsuit filed by AboveNet Communications, Inc., formerly known as Metromedia Fiber Network Services, Inc., a Delaware corporation, against the City and County of San Francisco for $183,479.00; the lawsuit was filed on December 10, 2007 in Sacramento Superior Court, Case No. 34-2007-00882854; entitled Metromedia Fiber Network Services, Inc., a Delaware corporation, v. City and County of San Francisco, et al.; the complaint was amended on August 20, 2009 to correct the plaintiff's name to AboveNet Communications, Inc. (City Attorney)

12/23/10; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

101578 [Agreement - Olin Corporation - Sodium Hypochlorite - Estimated to Exceed $10,000,000]

Resolution approving the Agreement between the City and Olin Corporation, dba Olin Chlor Alkali, for Sodium Hypochlorite, which is estimated to exceed $10,000,000 pursuant to Charter Section 9.118(b). (Office of Contract Administration)
(Fiscal Impact.)

12/09/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101579 [Airport Commission Bond-Related Authorizations - Not to Exceed $1,600,000,000]

Resolution approving the issuance of not to exceed $1,600,000,000 aggregate principal amount of San Francisco International Airport Second Series Refunding Revenue Bonds to refinance Airport Bonds and Subordinate Bonds; Approving the issuance of not to exceed $125,000,000 aggregate principal amount of San Francisco International Airport Special Facilities Bonds to finance and refinance fuel storage and delivery facilities; Approving the maximum interest rates, maturity dates and number of issues of such Refunding Bonds, Subordinate Bonds and Special Facilities Bonds; Approving certain resolutions of the Airport Commission; Approving the forms of certain agreements related to such Bonds and authorizing the execution and delivery thereof; Approving certain amendments to the 1991 Resolution; and Approving certain other related matters. (Airport Commission)

12/17/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

101593 [Settlement of Unlitigated Claim - California Capital Insurance Company - $57,892.75]

Resolution approving the settlement of the unlitigated claim filed by California Capital Insurance Company as subrogee for Michelle Azevedo against the City and County of San Francisco for $57,892.75; claim was filed on January 13, 2009. (City Attorney)

12/20/10; RECEIVED AND ASSIGNED to Rules Committee.

101595 [Sale Agreement - Permanent and Temporary Easements for Highway 84 Improvement Project in Alameda County - $6,000]

Resolution approving and authorizing an agreement for the sale and conveyance of property rights in fee interest, two nonexclusive permanent easements and three temporary easements over portions of Assessor's Parcel Numbers 85A-5400-2-3 and 507-762-005-00 located in Alameda County under the jurisdiction of the San Francisco Public Utilities Commission to State of California acting through its California Department of Transportation for a purchase price of $6,000 which includes $2,500 payment for City and County of San Francisco's administration and legal fees; adopting SFPUC's Resolution 10-0094; further adopting findings that the conveyance is in conformity with the City's General Plan Referral as required by Section 4.105 of the Charter and Section 2A.53 of the Administrative Code; is consistent with the Eight Priority Policies of City Planning Code Section 101.1; adopting that the sale/conveyance is "Categorically Exempt" from environmental review under Class 12-Surplus Government Property Sales under CEQA Guidelines; and authorizing City's Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

12/22/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Avalos
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to submit a report on the baseline of services they provide to District 11. Report should include, but not be limited to:
- Pressure washing of sidewalks
- Tree and landscape maintenance
- Graffiti abatement
- Trash pickup
- Sidewalk sweeping
- A budgetary and service allocation comparison by legislative district.
Please specify which services are permanent and which are considered temporary. Please include an analysis of unmet service needs in District 11, whether there are existing resources to meet these needs, and the amount of additional resources needed to address shortfalls in service provision in District 11.

From: Supervisor Mirkarimi
To: Treasurer
To: Assessor-Recorder
To: City Attorney
To: District Attorney
Requesting/Inquiring: Requesting that the Treasurer, Assessor-Recorder, City Attorney, and District Attorney provide any relevant information and resources for San Franciscans to seek assistance with the impacts of foreclosures, including the following situations:
- For property owners seeking help in avoiding foreclosure or in renegotiating or modifying their loan.
- For property owners who believe they are victims of mortgage fraud.
- For tenants who rent residential or commercial space in a property that is being foreclosed.

From: Supervisor Mirkarimi
To: City Services Auditor
Requesting/Inquiring: Requesting the City Services Auditor to conduct a cost-benefit analysis of supportive housing, including evaluation of the following questions:
- Does the cost of supportive housing for the homeless ultimately save money over time in the overall use of public funded services?
- Is the cost of supportive housing for the homeless justified by cost savings in comparison to those homeless persons in non-supportive housing?
The study should include an examination of the cost of all Supportive Housing that is funded by the Human Services Agency and Department of Public Health (master leased, Care Not Cash and Non-Profited owned), compared to the cost that a homeless individual incurs while they are on the street and in emergency shelter.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:

Potholes, Lights and Sidewalk issues
Near 1150 Scott
Near 175 Carl

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans
Northwest corner Webster & Haight
Southeast corner Divisadero & Haight
Northeast corner Scott & Fulton
Northeast corner Golden Gate & Lyon

Mailboxes
Northwest corner Laguna & Hermann
Northwest corner Belvedere & Clayton
Southwest corner Parnassus & Clayton

Street Wall Medians and Overpasses
Eastern median of Divisadero & Geary; metal pole

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes
Southwest corner Clayton & Fulton
Northeast corner Baker & Oak
Northeast corner McAllister & Scott
Northeast corner Geary & Baker
Northwest corner Baker & Fulton

Bus Shelter
Southwest corner Buchanan & Haight
Southeast corner Buchanan & Hayes
Northwest corner Hayes & Scott
Southeast corner Stanyan & Oak
Northwest corner Divisadero & Hayes
In front 1838 Eddy
Fillmore and Haight (all 4 bus stops, graffiti and grime and canopies also have graffiti).

Fire Hydrant
Southeast corner Scott & Fell

Emergency Boxes
Northeast corner Divisadero & Geary

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
In front 552 Haight
Southeast corner Central & Page
Northeast corner Central & Haight
In front 508 Haight
In front 1151 Laguna

In front 1169 Scott
In front 1186 Fulton
1223 Laguna
1234 Divisadero

Wood Poles
In front 30 Fillmore
Opposite 1221 Shrader
Opposite 120 Shrader

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily
Northwest corner of Hayes and Gough

City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

1067 Oak
890 Page
250 Scott
418 Haight
537 Haight
901 Haight
1305 Haight

682 Haight
553 Haight
418 Haight
122 Webster
399 Haight, on the Webster side
100 Scott, on the Waller side
784 Stanyan
798 Stanyan
8 Shrader
980 Scott
410 Scott
610 Waller
617 Ivy
2190 Fell
2721 California
2787 California
2731 California
1445 Laguna
820 Scott

From: Supervisor Elsbernd
To: City Attorney
Requesting/Inquiring: Supervisor Elsbernd inquires as to the possibility that the City and County of San Francisco may seek civil penalties against Deborah Madden, former technician at the San Francisco Police Department Crime Lab. Furthermore, Supervisor Elsbernd requests an estimate of the costs incurred by the City and County including, but not limited to the regular, overtime and premium pay associated with the investigation into Ms. Madden's conduct.

From: Supervisor Mirkarimi
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft Planning Code Amendment, Self Serve Restaurant. Please see the attached Draft Planning Code Amendment.

In Memoriams

Timothy D. Findley – Supervisor Dufty
Pamela J. Hickox – Supervisor Dufty
Shirley Weiner – Supervisor Dufty
Doug Kapovich – Supervisor Elsbernd

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 10:32 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 8, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

Friday, January 7, 2011 - 3:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Recessed Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Commissioners Fewer, Kim, Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Dufty	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Elsbernd	1st and 3rd Monday 10:30 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: Michela Alioto-Pier, John Avalos, David Campos, David Chiu, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Eric Mar, Sophie Maxwell, and Ross Mirkarimi

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 3:15 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

Board of Supervisors Sitting as a Committee of the Whole

101467 [Selection of a Successor Mayor - Edwin Lee]
Sponsor: Daly
Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

Angela Calvillo, Clerk of the Board, provided an overview indicating that the current roster of nominees were contacted and responded as follows:

Supervisor Campos' nomination of Sheriff Michael Hennessy - Accepted
Supervisor Elsbernd's nomination of City Administrator Edwin Lee - No Response
Supervisor Daly's nomination of Former Supervisor Supervisor Aaron Peskin - Declined

WITHDRAWL
Supervisor Daly withdrew his nomination of Former Supervisor Aaron Peskin.

Motion by Supervisor Daly, seconded by Supervisor Mirkarimi, to re-open nominations. The Motion failed by the following vote:
Ayes: 5 - Campos, Chiu, Daly, Mar, Mirkarimi
Noes: 6 - Alioto-Pier, Avalos, Chu, Dufty, Elsbernd, Maxwell

A question and answer period followed. Nancy J. Clark, Outside Counsel from Santa Clara County, responded to questions raised throughout the discussion. Board Members commented on the matter.

CURRENT ROSTER OF NOMINATIONS
Supervisor Campos nominated Sheriff Michael Hennessy.
Supervisor Elsbernd nominated City Administrator Edwin Lee.

SELECTION OF THE SUCCESSOR MAYOR
The roll was called on the nominations of Supervisors Campos and Elsbernd.

ROUND 3
Motion to select Sheriff Michael Hennessy as Successor Mayor failed by the following vote:
Ayes: 2 - Campos, Daly
Noes: 9 - Avalos, Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Elsbernd, seconded by Supevisor Alioto-Pier, moved that this Motion be AMENDED selecting City Adminstrator Edwin Lee as Successor Mayor. The Motion passed by the following vote:
Ayes: 10 - Avalos, Alioto-Pier, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Daly

Supervisor Elsbernd, seconded by Supevisor Alioto-Pier, moved that this Motion be RECOMMENDED AS AMENDED. The Motion passed by the following vote:
Ayes: 10 - Avalos, Alioto-Pier, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Daly

The President adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

Committee of the Whole Adjourn and Report

101467 [Selection of a Successor Mayor - Edwin Lee]

Sponsor: Daly

Motion to select Edwin Lee as successor Mayor in the event of a vacancy in the Office of the Mayor.

Motion No. M11-10

APPROVED AS AMENDED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Daly

110007 [Appointment of a Successor Mayor - Edwin Lee]

Motion to ratify the appointment of a successor Mayor due to the occurrence of a vacancy in the Office of the Mayor for a term expiring January 8, 2012. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Mar, moved that this Motion be CONTINUED to January 11, 2011. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Daly

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:18 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 8, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

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DEC 16 2011

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Saturday, January 8, 2011 - 12:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Inaugural Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Mendoza	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors	Monday 1:00 PM
Public Safety Committee Supervisors	1st and 3rd Monday 10:30 AM
Rules Committee Supervisors	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 12:10 p.m. On the call of the roll, all Supervisors were noted present.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board Members that she had received a communication from the Director of Elections, certifying the candidates for the Office of Members of the Board of Supervisors who received a plurality of votes cast at the election held on November 2, 2010, who, therefore, have been declared elected to that office, namely:
Carmen Chu
Malia Cohen
Mark Farrell
Jane Kim
Scott Wiener

Additionally, Ms. Calvillo informed the Board Members that she had received a communication from the Controller, confirming that certificiation of surety bond requirements were established for all newly elected and continuing Supervisors pursuant to San Francisco Administrative Code Article IX, Section 16.122(a)(e).

OATH OF OFFICE

President David Chiu announced that the Honorable Katherine Feinstein, Presiding Judge, Superior Court of California, County of San Francisco, would not be present and introduced the Honorable Cynthia Lee, Presiding Judge, Superior Court of California, County of San Francisco, who requested the Board Members to stand, whereupon Judge Lee admistered the oath of office.

ELECTION OF THE PRESIDENT OF THE BOARD

NOMINATIONS

Supervisor Chu nominated Supervisor Elsbernd.
Supervisor Kim nominated Supervisor Chiu.
Supervisor Avalos nominated Supervisor Mirkarimi.
Supervisor Campos nominated Supervisor Avalos.

Supervisor Mirkarimi did not accept the nomination for President of the Board of Supervisors.

The President asked if there were any further nominations. There being no response, the nominations for President of the Board of Supervisors were then closed.

PUBLIC COMMENT

The Clerk of the Board asked if there was anyone present who wished to address the question of the nomination of the President of the Board of Supervisors.

Dr. Willard Walker; Dawn Turner; Frank Canada; Paulette Browne; Sharon Yuney; Albert Sandoval; Kay Gulbengay; Wen Tsui; Jim Salinas; Tammy Brian; Ed; Sedrick Jackson; Sharon Elias-Jackson; Peter Warfield; Patrick Monk; Ace Washington; Dr. John Darcy; Allison Villaneuva; Female Speaker; Cynthia Cruz; Malcolm Young; Alma; spoke indicating their support of the individual nominees.

The President declared public comment closed.

SELECTION OF THE BOARD PRESIDENT

The roll was called on the nominations of Supervisors Elsbernd, Chiu, and Avalos.

Round 1 - Motion to elect President of the Board of Supervisors failed by the following vote:
Elsbernd: 4 - Chu, Elsbernd, Farrell, Wiener
Chiu: 4 - Chiu, Cohen, Kim, Mar
Avalos: 3 - Avalos, Campos, Mirkarimi

Supervisor Elsbernd withdrew his name from nomination for President of the Board of Supervisors.

Round 2 Motion to elect President of the Board of Supervisors passed by the following vote:
Chiu: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener
Avalos: 3 - Avalos, Campos, Mirkarimi

PRESIDENT ASSUMES THE CHAIR

President Chiu remained in the President's Chair.

REMARKS FROM MAYOR

President David Chiu announced that he received notification from the Honorable Mayor Gavin Newson that indicated he was unable to attend and wished to congratulate the newly elected and re-elected members of the Board of Supervisors.

REMARKS FROM BOARD MEMBERS

Each member of the Board of Supervisors was called and afforded an opportunity for brief remarks and for introduction of family members or guests in attendance.

REMARKS BY THE PRESIDENT OF THE BOARD

President acknowledged the presence of the following elected officials, representatives of elected officials, and various City Department heads: Senator Mark Leno; Representative for Congresswoman Jackie Spiers, Jonathon Cast; Board of Education Member Hydra Mendoza; Former President of the Board of Supervisors, Angela Alioto; City Attorney Dennis Herrera; Treasurer José Cisneros; Assessor/Recorder Phil Ting; Public Defender Jeff Adachi; Police Chief George Gascon; Fire Chief Joanne Hayes-White; Representative of City Administrator Ed Lee, Aimee Brown; and Office of the Mayor's Chief of Staff Steve Kawa. President Chiu gave his commitment to working with the members of the Board of Supervisors, City Agency Departments, and the public in addressing issues which impact the citizens of San Francisco.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 2:06 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 8, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

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Tuesday, January 11, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors	Monday 1:00 PM
Public Safety Committee Supervisors	1st and 3rd Monday 10:30 AM
Rules Committee Supervisors	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:11 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from the Mayor on January 5, 2011, communicating the Mayor's notice to the Board of Supervisors, under Charter Section 4.132, of a transfer of function between departments within the executive branch. That such reorganization shall become effective 30 days after its issuance, unless disapproved by the Board of Supervisors.

CONSENT AGENDA

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

From the City Operations and Neighborhood Services Committee Without Recommendation

101445 [Public Works Code - Banners on the Path of Gold]
Sponsor: Dufty
Ordinance amending Public Works Code Section 184.78 to allow city neighborhood banners, as defined in Section 184.78, to be posted on the Path of Gold lamp posts lining Market Street, and adopting environmental findings.

Ordinance No. 13-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS

There were no items.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

101467 [Selection of a Successor Mayor - Edwin Lee]
Sponsor: Daly
Motion to take nominations and appoint a successor Mayor in the event of a vacancy in the Office of the Mayor.

Pursuant to the actions on January 7, 2011, regarding File No. 101467, noted below:

Motion No. M11-10
APPROVED AS AMENDED
Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Daly

There was no further action on this matter.

Committee of the Whole Adjourn and Report

110007 [Appointment of a Successor Mayor - Edwin Lee]
Motion to ratify the appointment of a successor Mayor due to the occurrence of a vacancy in the Office of the Mayor for a term expiring January 8, 2012. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Motion to appoint Edwin Lee as successor Mayor due to the occurrence of a vacancy in the Office of the Mayor for a term expiring January 8, 2012. (Clerk of the Board)

President David Chiu welcomed to the Board of Supervisors Chamber newly appointed Mayor Edwin Lee who addressed the Board of Supervisors and stated he was looking forward to working with the members of the Board of Supervisors in addressing the financial issues facing the City and County of San Francisco.

RECESS
Supervisor Farrell, seconded by Supervisor Campos, moved to recess until 5:00 p.m. to allow newly appointed Mayor Edwin Lee to be sworn in to office as Mayor of the City and County of San Francisco. The Motion passed by the following vote:
Ayes: 11 - Avalos, Campos, Chu, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

RECONVENING OF THE BOARD

The Board at the hour of 5:00 p.m. reconvened.

The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener. Supervisor Kim was noted present at 5:02 p.m.

Motion No. M11-11

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

There were none.

SPECIAL ORDER 4:00 P.M.

101543 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 10 Lundys Lane]

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 16, 2010, that a project located at 10 Lundys Lane (Building Permit Application No. 2010-08-27-9763) is exempt from environmental review under the California Environmental Quality Act (CEQA). The proposed work involves interior and exterior renovation of an existing single family home, Lot No. 029A in Assessor's Block No. 5610. (District 9) (Appellant: John de Soto) (Filed December 2, 2010; Companion Measure to File Nos. 101544, 101545, 101546.)

The President inquired as to whether any member of the public wished to address the Board. John Soto (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Debra Zell; Russell Miers; Male Speaker; spoke in support of the appeal. AnMarie Rodgers (Planning Department) provided an overview of the decision of the Planning Department. Brett Gladstone (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Ann Hughes; Barbara Simons; Lisa Castenones; Jose Mehia; Casey Smith; Michelle Vidal; Carolyn Short-McKenna; Laura Baron; Joseph Woods; spoke in support of the project and in opposition to the appeal. John Soto (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

101544 [Affirming the Exemption Determination - 10 Lundys Lane]
Motion affirming the determination by the Planning Department that the project located at 10 Lundys Lane is exempt from environmental review. (Clerk of the Board)

Motion No. M11-12

Supervisor Campos, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101545 [Reversing the Exemption Determination - 10 Lundys Lane]
Motion reversing the determination by the Planning Department that the 10 Lundys Lane project is exempt from environmental review. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101546 [Preparation of Findings to Reverse the Exemption Determination - 10 Lundys Lane]
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 10 Lundys Lane is exempt from environmental review. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 4:00 P.M.

101547 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 134-136 Ord Street Project]
Hearing of persons interested in or objecting to the decision of the Planning Department dated April 8, 2010, Case No. 2009.1124DDV, that a project located 134-136 Ord Street is exempt from environmental review under Categorically Exemption, Class 1 (State CEQA Guidelines Section 15301). The proposed project involves construction of a new single-family home at the front of the subject lot, which new building would be located in front of an existing building on the lot, Lot No. 004 in Assessor's Block No. 2657. (District 8) (Appellant: Corbett Heights Neighbors) (Filed December 9, 2010; Companion Measure to File Nos. 101548, 101549, 101550.)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers. The President continued the public hearing open to March 1, 2011.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Hearing be CONTINUED to March 1, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101548 [Affirming the Exemption Determination - 134-136 Ord Street]
Motion affirming the determination by the Planning Department that the project located at 134-136 Ord Street is exempt from environmental review.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Motion be CONTINUED to March 1, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101549 [Reversing the Exemption Determination - 134-136 Ord Street]
Motion reversing the determination by the Planning Department that the 134-136 Ord Street project is exempt from environmental review.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Motion be CONTINUED to March 1, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101550 [Preparation of Findings to Reverse the Exemption Determination - 134-136 Ord Street]
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 134-136 Ord Street is exempt from environmental review.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Motion be CONTINUED to March 1, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Edmond Juicye; expressed various concerns.
Peter Warfield; expressed concerns relating to the SF Public Library.
Barbara Kingerry; spoke regarding her phone banking service.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.
Maggie Scott; expressed concerns relating to human services and solving child homicides and violence in the community.
Sudi Scull; expressed concerns relating to smart meters.
Leslie de Taillandier; expressed concerns relating to smart meters.
Male Speaker; expressed concerns relating to violent crimes.
Male Speaker; expressed various religious concerns.
Female Speaker; expressed concerns relating to violent crimes.
Male Speaker; expressed various concerns.
Ernestine Weiss; expressed support for the newly elected Board of Supervisors.
Velma Encorporio: expressed support for the newly elected Board of Supervisors.
Aydele Wilson; expressed various concerns.
Francisco Da Costa, expressed various concerns.

Privilege of the floor was granted to City of Oakland, Mayor Jean Quan, who addressed the Board of Supervisors regarding the momentus occasion of appointing a Successor Mayor.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

110015 [Accept and Expend Grant - With Open Arms - $12,500]
Sponsor: Mirkarimi
Resolution authorizing the Office of the Public Defender to accept and expend a grant in the amount of $12,500 from van Löben Sels/RembeRock Foundation for mentoring and enrichment programming for participants in the With Open Arms initiative.

Resolution No. 24-11

ADOPTED

110016 [Authorization to Apply for CalFire State Grant - Urban Forest Enhancement]
Sponsor: Mayor
Resolution authorizing the Department of the Environment for the City and County of San Francisco to apply for funding from the Department of Forestry and Fire Protection (CalFire) for a project to plant fruit bearing trees on appropriate City land.

Resolution No. 25-11

ADOPTED

101601 [Appointment, Health Officer - Tomás Javier Aragón]
Sponsor: Chiu
Motion appointing Tomás Javier Aragón, effective on December 15, 2010, to the position of Health Officer for the City and County of San Francisco.

Motion No. M11-13

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or Mayor

Ordinances

110023 [Campaign and Governmental Conduct Code - Allowing Former Appointed Mayor to Obtain City Employment]
Sponsors: Chiu; Elsbernd, Mar, Chu, Cohen, Kim, Wiener and Farrell
Ordinance amending the San Francisco Campaign and Governmental Conduct Code Section 3.234 to allow a former appointed Mayor to obtain full-time City employment within one year after leaving office.

01/11/11; RECEIVED AND ASSIGNED to Rules Committee.

110024 [Planning Code - Zoning Map Amendment - Correction to Market and Octavia Area Plan Zoning]
Sponsor: Mirkarimi
Ordinance amending Zoning Map Sheet No. 2 of the San Francisco Planning Code to include parcels inadvertently excluded from the Zoning Map amendment adopted to implement the Market and Octavia Plan (Ordinance No. 72-08) affecting the area roughly bounded by a line beginning at the intersection of Buchanan and Fell Street, continuing northwest, thence northeast on Grove Street, continuing northwest at Laguna Street, thence heading northeast on Turk Street, continuing southeast at Franklin Street, thence continuing southwest at Fell Street to the starting point at the intersection of Buchanan Street, to eliminate use districts within the Market and Octavia Plan Area and replace them with revised use districts, consistent with those proposed in the Market and Octavia Area Plan; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.

01/11/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/10/2011.

110025 [Environment Code - Safe Drug Disposal Information]
Sponsor: Mirkarimi
Ordinance amending the San Francisco Environment Code by adding Sections 2250 through 2254, to require any business selling prescription drugs to the public to post display materials explaining how to safely and lawfully dispose of unused prescription drugs; and making environmental findings.

01/11/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 2/10/2011.

Resolutions

110026 [Accept and Expend State Grant - Removal of Abandoned Recreational Watercraft - $15,200]
Sponsor: Chiu
Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of $15,200 from the California Department of Boating and Waterways, Abandoned Watercraft Abatement Fund, for removal and demolition of abandoned recreational watercraft on the Port's waterfront.

01/11/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110027 [Settlement of Potential Litigation - Asian Art Museum Foundation Bonds - City Assurance to Seek Appropriation for Bonds - $120,400,000]
Sponsors: Mayor; Chiu, Chu and Mar
Resolution approving the settlement of potential litigation involving the restructuring of the $120,400,000 California Infrastructure and Economic Development Bank Variable Rate Revenue Bonds, Series 2005 (Asian Art Museum Foundation of San Francisco) (2005 Bonds) through the execution of a Settlement Agreement by and among the City and County of San Francisco, the Asian Art Museum Foundation of San Francisco, JPMorgan Chase Bank, National Association, MBIA Insurance Corporation, National Public Finance Guarantee Corporation, and the Bank of New York Mellon Trust Company N.A., including, among other matters, the form of the Assurance Agreement under which the City will support repayment of the 2005 Bonds, and other additional material terms of such settlement.
(Fiscal Impact.)

01/11/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110028 [Accept and Expend Grant - San Francisco Renewable Energy Plan - $250,000]
Sponsor: Mar
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $250,000 from the Sidney E. Frank Foundation to initiate the San Francisco Renewable Energy Plan which will lay out actionable steps to source 100% of San Francisco's electrical demand from renewable energy sources.

01/11/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110031 [Lease - San Francisco Forty Niners Candlestick Park Stadium]
Sponsors: Chiu; Farrell
Resolution authorizing the City Attorney to toll the statute of limitations relating to the Forty Niners' claim under the stadium lease regarding the maintenance and repair of Candlestick Park Stadium for up to 120 days to continue to attempt to negotiate a settlement agreement and lease amendment subject to approval of the those agreements by the Recreation and Park Commission and Board of Supervisors.

01/11/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110032 [Accept and Expend Grant - Disproportionate Minority Contact Support Project - $100,000]
Sponsor: Cohen
Resolution authorizing the Juvenile Probation Department to retroactively accept and expend a grant in the amount of $100,000 from the Federal Formula Grants Program for the Disproportionate Minority Contact Support Project, administered by the Corrections Standards Authority, for calendar year 2011, to be used for implementation of a multifaceted approach to disparities reduction, including education, data, and best practice review and community outreach.

01/11/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110033 [Fred T. Korematsu Day of Civil Liberties - January 30, 2011]
Sponsors: Mar; Avalos, Campos, Chiu, Chu, Kim and Mirkarimi
Resolution declaring January 30, 2011, as Fred T. Korematsu Day of Civil Liberties.

01/11/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110036 [Adoption of Guidelines for the Establishment and Use of Infrastructure Financing Districts]
Sponsor: Elsbernd
Resolution adopting guidelines for the establishment and use of Infrastructure Financing Districts in the City and County of San Francisco.

01/11/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Motion

110035 [Suspending Board Rules to Permit the Clerk of the Board to Modify the Timeframes for Preparation of the Board's FY2011-2012 Budget for Submission to the Mayor]
Motion suspending Board Rules 6.23 and 6.24 to permit the Clerk of the Board of Supervisors to modify the timeframes for preparation of the Board's proposed FY2011-2012 budget for submission to the Mayor by waiving the 60 and 15 day timeline requirements; instead a Committee of the Board will conduct a hearing to discuss budget balancing guidelines in January; and that a Committee hearing be conducted for review of the proposed budget prior to submission to the Mayor in February. (Clerk of the Board)

Request for Hearings

110018 [Hearing - Street Vacation Order - Transbay Transit Center]
Hearing of persons interested in or objecting to proposed Ordinance ordering the vacation of portions of the public right-of-way below and/or above Natoma Street, Minna Street, First Street, Fremont Street, Beale Street, Harrison Street, Folsom Street, Clementina Street, Tehama Street, Howard Street, Second Street, and Oscar Alley within the Transit Center Project area; quitclaiming the City's interest in the vacation areas to the Transbay Joint Powers Authority; accepting Department of Public Works Order No. 179,054; making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance. (Clerk of the Board)

01/03/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

110029 [Hearing - Pedestrian Safety in the South of Market]
Sponsor: Kim
Hearing to consider presentations from the Municipal Transit Authority, Planning Department, Department of Public Works, and Department of Public Health on pedestrian safety in the South of Market.

01/11/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110034 [Hearing - Prevention and Control of Bed Bugs]
Sponsor: Kim
Hearing to consider presentations from the Department of Public Health and Department of Building Inspection regarding on-going inspection procedures, reporting, and referral procedures, enforcement of, prevention and control of bed bugs.

01/11/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCE

110019 [Street Vacation Order - Transbay Transit Center]
Ordinance ordering the vacation of portions of the public right-of-way below and/or above Natoma Street, Minna Street, First Street, Fremont Street, Beale Street, Harrison Street, Folsom Street, Clementina Street, Tehama Street, Howard Street, Second Street, and Oscar Alley within the Transit Center Project area; quitclaiming the City's interest in the vacation areas to the Transbay Joint Powers Authority; accepting Department of Public Works Order No. 179,054; making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

01/03/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

110001 [Agreement to Acquire Easement in Connection with the Bay Division Pipeline Reliability Upgrade Project - Bay Tunnel]

Resolution approving and authorizing acceptance of a Right of Way Easement deed for a 50-year, exclusive, subsurface easement, at no charge, from United States Department of the Interior, for the purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Bay Tunnel; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; adopting findings of consistency with City Planning Code Section 101.1; and authorizing the General Manager of SFPUC to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

12/28/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110002 [Exchange of Quitclaim Deeds - San Francisco Unified School District]

Resolution (1) authorizing and directing execution of a quitclaim deed from the City and County of San Francisco to the San Francisco Unified School District, a political subdivision of the State of California, for 110 public school properties; (2) authorizing and directing the acceptance of a quitclaim deed by the City and County of San Francisco from the San Francisco Unified School District for five properties owned in fee by the City and County of San Francisco; and (3) adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

12/30/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110017 [Street Vacation - Resolution of Intention - Transbay Transit Center]

Resolution declaring the intention of the Board of Supervisors to vacate portions of the public right-of-way below and/or above Natoma Street, Minna Street, First Street, Fremont Street, Beale Street, Harrison Street, Folsom Street, Clementina Street, Tehama Street, Howard Street, Second Street, and Oscar Alley within the Transit Center Project area; and setting the hearing date for all persons interested in the proposed vacation of said public right-of-way areas and public service easements. (Real Estate Department)

01/03/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily
Northwest corner of Hayes and Gough

City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

Garbage Cans
Northwest corner Webster and Haight
Southeast corner Divisadero and Haight
Southeast corner Stanyan and Haight
Southeast corner Turk and Webster
Northeast corner Webster and Geary

Mailboxes
Northwest corner Laguna and Hermann
Northeast corner Buchanan and Haight
Southeast corner O'Farrell and Webster
Northeast corner Buchanan and Fell
Southeast corner California and Fillmore

Street Wall Medians and Overpasses
Overpass Webster and Geary

Vacant Lot
At Ellis and Divisadero, trash and graffiti

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Boxes
Southwest corner California and Webster
Northeast corner Linden and Buchanan
Northeast corner McAllister and Scott
Northeast corner Buchanan and Oak
Northeast corner Buchanan and Fell

Bus Shelters
Southwest corner Buchanan and Haight
Southeast corner Buchanan and Hayes
Northwest corner Geary and Webster
Southeast corner Stanyan and Oak
Southeast corner Divisadero and Haight
Southeast corner Buena Vista and Haight
Southeast corner Stanyan and Haight
Southeast Geary and Masonic
Fillmore and Haight (all 4 bus stops, graffiti and grime and canopies are graffiti also canopies have graffiti)

Fire Hydrants
Southeast corner Fulton and Webster
Northeast corner Golden Gate and Webster

Emergency Boxes
Northeast corner Buchanan and Page
Southeast corner Geary and Buchanan
In front of 2725 California

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
In front 780 Grove
Southeast corner Geary and Webster
Northeast corner Birch and McAllister
In front 1280 Webster
In front 1420 Webster

In front 438 Buchanan
In front 511 Birch
In front 545 Birch
In front 2355 California
In front 608 Fulton
In front 2814 Pine
1907 Buchanan

Wood Poles
In front 405 Buchanan
Near 314 Buchanan
Southwest corner Pine and Buchanan
Southwest corner Laguna and California
Southwest corner Webster and California
Southwest corner Divisadero and California

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

736 Divisadero
717 Divisadero
631 Divisadero
616 Divisadero
546 Haight
418 Haight
600 Divisadero
534 Divisadero
507 Divisadero
525 Birch
969 Haight
Buena Vista Park Wall at Haight and Buena Vista East
1020 Buchanan
2135 California
2385 California
589 Haight
525 Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:

Potholes, Lights and Sidewalk Issues
Intersection of Hayes and Buchanan
Intersection of Birch and Laguna

From Supervisor Elsbernd
To: Director, Office of the Controller
Requesting/Inquiring: Supervisor Elsbernd inquires how the San Francisco Employee Retirement System Board's adoption of an employer contribution rate in the amount of 18.09% for FY 2011-12 will affect the General Fund of the City and County of San Francisco.

In Memoriams

Antoine Galloway – Supervisor Mirkarimi
June Marie Quan – Supervisor Mar
John Krol – Supervisor Elsbernd
Michael Gragnani – Supervisors Elsbernd and Farrell
Judge John Roll – President Chiu
Gabe Zimmerman – President Chiu
Dorwin Stoddard – President Chiu
Christina Greene – President Chiu
Dorthy Murray – President Chiu
Phyllis Scheck – President Chiu

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:01 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 15, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 16 2011

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, January 25, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 1:00 PM
City and School District Select Committee Supervisors Cohen, Avalos, Chu	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:12 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Public Safety Committee

100455 [Environment Code - San Francisco Safe Drug Disposal Ordinance]
Sponsor: Mirkarimi
Ordinance amending the San Francisco Environment Code by adding Chapter 22, Sections 2201 through 2211, to: require any person who produces a drug offered for sale in San Francisco to participate in an approved drug stewardship program for the collection and disposal of unwanted drugs from residential sources; provide for implementation, enforcement, fees, and penalties; and phase-in the application of the Chapter to non-prescription drugs and controlled substances; and making environmental findings.

Supervisor Mirkarimi, seconded by Supervisor Avalos, moved that this Ordinance be RE-REFERRED to the Public Safety Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

101410 [Airport Promotion and Event Fund]
Sponsor: Mayor
Ordinance establishing a special fund to receive donations and authorizing expenditures for the purpose of holding events to promote the opening of the newly renovated Terminal 2 of the San Francisco International Airport; and deleting obsolete provisions.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101499 [Payment of Reward to John Doe - $10,000]
Sponsor: Wiener
Ordinance authorizing the Mayor's Office to reward John Doe $10,000 for providing information that led to the arrest of a criminal defendant.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101413 [Accept and Expend Grant - Congestion Management Agency Block Grant - $11,553,000]
Sponsor: Mayor
Resolution authorizing the Department of Public Works to accept and expend $11,553,000 in Federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvement funds awarded through the Metropolitan Transportation Commission's Congestion Management Agency Block Grant Program.

Resolution No. 31-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101428 [Grant Agreements - Bicycle Projects - $166,200]
Sponsor: Mar
Resolution approving three Bicycle Facility Program Grant Agreements with the Bay Area Air Quality Management District with contract terms of more than 10 years.

Resolution No. 32-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101453 [Professional Services Agreement - Howard, Needles, Tammen & Bergendoff - $11,704,955]

Sponsor: Mayor

Resolution approving the Professional Services Agreement, Airport Contract 9015.1 Master Architect for Replacement Air Traffic Control Tower/Terminal 1 Complex Redevelopment Program between Howard, Needles, Tammen & Bergendoff, and the City and County of San Francisco, acting by and through its Airport Commission, in the lump sum amount of $11,704,955, and a contingency budget of $1,626,412 for Airport and FAA requested changes, pursuant to San Francisco Charter Section 9.118(b).
(Fiscal Impact.)

Resolution No. 30-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101504 [Airport Concession Lease - Museum of Modern Art]

Resolution approving the International Terminal Museum/Gallery Store Lease between San Francisco Museum of Modern Art and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 33-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101505 [Purchase Agreement - Permanent Access Road Easement - Stanislaus County - $13,000]

Resolution (1) approving and authorizing an agreement for the purchase of a permanent access road easement totaling 2.16 acres over portions of Assessor's Parcel Numbers 016-002-017, 016-002-018 and 016-002-44 located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301 for a purchase price of $13,000; (2) adopting findings under the California Environmental Quality Act; (3) adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and (4) authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

Resolution No. 34-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101506 [Master Lease - Hotel Le Nain at 730 Eddy Street]

Resolution authorizing the Master Lease of the Hotel Le Nain at 730 Eddy Street for the Department of Public Health. (Real Estate Department)

Resolution No. 35-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101524 [Accept and Expend Grant - Green Cleaning Project - $75,463]
Sponsor: Mayor
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $75,463 from the US Environmental Protection Agency to implement a green cleaning pilot project that will lead to the creation of multi-lingual green cleaning guidelines.

Resolution No. 36-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101575 [Annual Reports - Fillmore Jazz Community Benefit District]
Sponsor: Mirkarimi
Resolution regarding Fillmore Jazz Community Benefit District annual reports to the City: receiving and approving the District's Annual Reports for District FYs 2007, 2008, and 2009, which include the District's proposed budget for District FY2010, as submitted pursuant to Section 36650 of the Business Property and Community Benefit Act of 1994 (California Streets and Highways Code § §36600 et seq.) and Section 3.4 of the District's management contract with the City.

Resolution No. 37-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101495 [License with UnitedLayer to Use Property - 200 Paul Street]
Resolution authorizing the license of space and services with UnitedLayer at 200 Paul Street for the Department of Technology. (Real Estate Department)
(Supervisor Kim dissented in Committee.) (Fiscal Impact.)

Resolution No. 26-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101496 [License with Telx to Use Property - 200 Paul Street]
Resolution authorizing the license of space and services with Telx at 200 Paul Street for the Department of Technology.
(Supervisor Kim dissented in Committee.)

Resolution No. 27-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Chu, seconded by Supervisor Chiu, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Chu introduced, welcomed, and presented a Certificate of Honor to Officer Christopher Putz in recognition of his accomplishments as the sole member of the SFPD graffiti unit and continued community support. Commander David Lazar and John Benoff (Graffiti Task Force) shared in his commendation.

Supervisor Chiu introduced, welcomed, and presented Certificates of Honor to Francesca Valdez and Karl Preskot of Broadway Studios in recognition of their speedy actions during a recent North Beach fire and continued community support.

SPECIAL ORDER 4:00 P.M.

101551 [Public Hearing - Appeal of Tentative Parcel Map for 74-76 Castro Street]
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated November 30, 2010, approving a Tentative Parcel Map for a 2-unit condominium conversion located at 74-76 Castro Street, Lot No. 013, in Assessor's Block No. 2611. (District 8) (Appellant: James Coy Driscoll on behalf of Martin Hyland) (Clerk of the Board)
(Filed December 10, 2010; Companion Measure to File Nos. 101552, 101553 and 101554.)

Supervisor Wiener communicated receipt of a letter from the Appellant, dated January 25, 2011, indicating all parties had reached an agreement and requesting dismissal of the appeal. The President inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

101552 [Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map for 74-76 Castro Street]
Motion approving the decision of the Department of Public Works, finding the Tentative Parcel Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and approving the Tentative Parcel Map for a 2-lot condominium conversion subdivision located at 74-76 Castro Street, Assessor's Block No. 2611, Lot No. 013.

Motion No. M11-17

Supervisor Wiener, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101553 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map for 74-76 Castro Street]

Motion disapproving the decision of the Department of Public Works, finding the Tentative Parcel Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and disapproving the Tentative Parcel Map for a 2-lot condominium conversion subdivision located at 74-76 Castro Street, Assessor's Block No. 2611, Lot No. 013. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101554 [Findings Related to the Tentative Parcel Map Disapproval for 74-76 Castro Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-lot condominium conversion subdivision located at 74-76 Castro Street, Assessor's Block No. 2611, Lot No. 013. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMITTEE REPORTS

101509 [Reappointment, Historic Preservation Commission - Andrew Wolfram]

Motion approving the Mayor's nomination for reappointment of Andrew Wolfram to the Historic Preservation Commission, Seat No. 2, for a four-year term ending December 31, 2014. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File No. 101510. Transmittal date - December 1, 2010.)

Motion No. M11-14

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101511 [Appointment, Historic Preservation Commission - Richard Johns]

Motion approving the Mayor's nomination for appointment of Richard Johns to the Historic Preservation Commission, Seat No. 4, for a four-year term ending December 31, 2014. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File No. 101512. Transmittal date - December 1, 2010.)

Motion No. M11-15

APPROVED by the following vote:

Ayes: 6 - Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

Noes: 5 - Avalos, Campos, Chiu, Mar, Mirkarimi

101513 [Reappointment, Historic Preservation Commission - Karl Hasz]

Motion approving the Mayor's nomination for reappointment of Karl Hasz to the Historic Preservation Commission, Seat No. 6, for a four-year term ending December 31, 2014. (Clerk of the Board)

(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File No. 101514. Transmittal date - December 1, 2010.)

Motion No. M11-16

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101516 [Confirming Appointments, San Francisco Relocation Appeals Board - Harry Kim and Herb Cohn]

Sponsor: Mayor

Resolution confirming the appointments of Harry Kim and Herb Cohn to the San Francisco Relocation Appeals Board, terms ending January 2, 2012.

Resolution No. 38-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101517 [Confirming Appointment, City Hall Preservation Advisory Commission - Florence Kong]

Sponsor: Mayor

Resolution confirming the appointment of Florence Kong to the City Hall Preservation Advisory Commission, term ending January 13, 2012.

Resolution No. 39-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101001 [Liquor License - 191 Pine Street]

Resolution determining that the issuance of a Type 75 on-sale general brew-pub liquor license to Cuong Truong for Champango, LLC, dba Unicorn Pan Asian Restaurant, located at 191 Pine Street (District 3), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions. (Clerk of the Board)

Resolution No. 40-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101211 [Liquor License - 685 Ellis Street]

Resolution determining that the issuance of a Type 51 beer and wine Club license to Jose Lima for Golden Gate Council of American Youth Hostels, Inc., dba Ivys Place, located at 685 Ellis Street (District 6), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions. (Clerk of the Board)

Resolution No. 41-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101538 [Accept and Expend Grant - Integrating HIV/Geriatric for People with HIV 50 & Older - $402,596]

Sponsors: Chu; Campos

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $402,596 from the University of California San Francisco to participate in a program entitled "Integrating HIV and Geriatric for People Living with HIV 50 & Older" for the period of December 1, 2010, through November 30, 2011.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 42-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101556 [Accept and Expend Gift - Recreation and Park Department Operations - $171,753]

Sponsor: Chu

Resolution authorizing the San Francisco Recreation and Park Department to retroactively accept and expend a gift of $171,753 from the San Francisco Parks Trust to support various Recreation and Park Department operations.

Resolution No. 43-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110001 [Agreement to Acquire Easement in Connection with the Bay Division Pipeline Reliability Upgrade Project - Bay Tunnel]

Resolution approving and authorizing acceptance of a Right of Way Easement deed for a 50-year, exclusive, subsurface easement, at no charge, from United States Department of the Interior, for the purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Bay Tunnel; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; adopting findings of consistency with City Planning Code Section 101.1; and authorizing the General Manager of SFPUC to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Resolution No. 28-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ace Washington; expressed various concerns.
Josh Wilson; spoke in support of proposed KUSF legislation.
Aaron Swernetz; spoke in support of proposed KUSF legislation.
Lewis Dillon; expressed various concerns.
Tom Murphy; spoke in support of proposed KUSF legislation.
Barbara Kingerry; spoke regarding her phone banking service.
Female Speaker; spoke in support of proposed KUSF legislation.
Male Speaker; spoke in support of proposed KUSF legislation.
Stephen Allen; spoke in support of proposed KUSF legislation.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.
Joshua Hart; expressed concerns relating to smart meters.
Marilyn Garrett; expressed concerns relating to smart meters.
Jennifer Waits; spoke in support of proposed KUSF legislation.
Harry Duncan; spoke in support of proposed KUSF legislation.
Scott Tolar; spoke in support of proposed KUSF legislation.
Nina Beety; expressed concerns relating to smart meters.
Male Speaker; spoke in support of proposed KUSF legislation.
Dan Everett; expressed various concerns.
Dr. Michelle Shower; expressed various concerns.
Maya Cain; expressed concerns relating to smart meters.
Leslie de Taillandier; expressed concerns relating to smart meters.
Douglas Yep; expressed various concerns.
Karen Kai; spoke in support of Korematsu Day.
Greg Marutani; spoke in support of Korematsu Day.
Emily Murase; spoke in support of Korematsu Day.
Ted Dimely; spoke in support of proposed KUSF legislation.
Morgan; spoke in support of proposed KUSF legislation.
Female Speaker; spoke in support of proposed KUSF legislation.
Male Speaker; spoke in support of proposed KUSF legislation.
Linda Champagne; spoke in support of proposed KUSF legislation.
Ms. Miller; spoke in support of proposed KUSF legislation.
Gina; spoke in support of proposed KUSF legislation.
Male Speaker; expressed various religious concerns.
Lauren Dobson; spoke in support of proposed KUSF legislation.
Jay Jewelaski; spoke in support of proposed KUSF legislation.
Ms. Bouie; expressed concerns relating to the treatment of homeless seniors.
Justine Breiger; spoke in support of proposed KUSF legislation.
Lydia Taylor; spoke in support of proposed KUSF legislation.
Stephen Batti; spoke in support of proposed KUSF legislation.
Elizabeth Platt; spoke in support of proposed KUSF legislation.
Stacey; spoke in support of proposed KUSF legislation.

Supervisor Elsbernd was noted absent at 3:27 p.m. and noted present at 3:47 p.m.
Supervisor Farrell was noted absent at 3:43 p.m. and noted present at 3:55 p.m.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

110031 [Lease - San Francisco Forty Niners Candlestick Park Stadium]
Sponsors: Chiu; Farrell
Resolution authorizing the City Attorney to toll the statute of limitations relating to the Forty Niners' claim under the stadium lease regarding the maintenance and repair of Candlestick Park Stadium for up to 120 days to continue to attempt to negotiate a settlement agreement and lease amendment subject to approval of the those agreements by the Recreation and Park Commission and Board of Supervisors.

Resolution No. 29-11

ADOPTED

110032 [Accept and Expend Grant - Disproportionate Minority Contact Support Project - $100,000]
Sponsor: Cohen
Resolution authorizing the Juvenile Probation Department to retroactively accept and expend a grant in the amount of $100,000 from the Federal Formula Grants Program for the Disproportionate Minority Contact Support Project, administered by the Corrections Standards Authority, for calendar year 2011, to be used for implementation of a multifaceted approach to disparities reduction, including education, data, and best practice review and community outreach.

Resolution No. 44-11

ADOPTED

110035 [Suspending Board Rules to Permit the Clerk of the Board to Modify the Timeframes for Preparation of the Board's FY2011-2012 Budget for Submission to the Mayor]
Motion suspending Board Rules 6.23 and 6.24 to permit the Clerk of the Board of Supervisors to modify the timeframes for preparation of the Board's proposed FY2011-2012 budget for submission to the Mayor by waiving the 60 and 15 day timeline requirements; instead a Committee of the Board will conduct a hearing to discuss budget balancing guidelines in January; and that a Committee hearing be conducted for review of the proposed budget prior to submission to the Mayor in February. (Clerk of the Board)

Motion No. M11-18

APPROVED

110038 [Final Map 4400 - 695 San Jose Avenue and 96-29th Street]
Motion approving Final Map 4400, a One Commercial Unit and Four Residential Unit Mixed-Use Condominium Project, located at 695 San Jose Avenue and 96-29th Street being a subdivision of Lot 021 in Assessors Block No. 6597 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-19

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Mar requested that File No. 110033 be severed so that it may be considered separately.

110033 [Fred T. Korematsu Day of Civil Liberties - January 30, 2011]
Sponsors: Mar; Avalos, Campos, Chiu, Chu, Kim and Mirkarimi
Resolution declaring January 30, 2011, as Fred T. Korematsu Day of Civil Liberties.

Resolution No. 45-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Cohen requested that File No. 110045 be severed so that it may be considered separately.

110045 [Celebrating the 100th Anniversary of Women's Suffrage in California]
Sponsors: Cohen; Chu, Kim, Campos, Mirkarimi and Avalos
Resolution celebrating 100 years of women's voting rights in the State of California.

Supervisors Campos, Mirkarimi, and Avalos requested to be added as co-sponsors.

Supervisor Cohen, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Resolution No. 46-11

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or Mayor

Ordinances

110068 [Administrative Code - Rewards to Informants for Information Related to the Detection of Underpayment of Property Tax]
Sponsor: Chiu
Ordinance amending Chapter 10 of the San Francisco Administrative Code by amending Sections 10.177-2 and 10.177-3, authorizing the Assessor to recommend rewards for information related to the detection of underpayment of tax owed to the City and County of San Francisco.

01/25/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/24/2011.

110069 [Administrative Code - Health Service System Plans and Contribution Rates for FY2011-2012]
Sponsor: Chu
Ordinance amending the San Francisco Administrative Code, Chapter 16, Article XV, of Part 1 by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.
(Fiscal Impact.)

01/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110070 [Planning Code - Zoning - Upper Fillmore Neighborhood Commercial District]
Sponsor: Farrell
Ordinance amending the San Francisco Planning Code by amending Sections 703.3 and 718.1 and the Zoning Control Table for the Upper Fillmore NCD to: (1) allow as a conditional use on the first floor a new full-service restaurant, large fast food restaurant, small self-service restaurant or self-service specialty food establishment that is not defined as a formula retail use; and (2) add Specific Provisions to the Zoning Control Table to allow a bar associated with a full-service restaurant as a conditional use and require the Planning Commission to consider daytime usage on the block in conditionally approving a new restaurant; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

01/25/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/24/2011.

01/25/11; RESPONSE RECEIVED.

110071 [Waiver of the Competitive Bidding and Solicitation Requirements for a Contract with Environmental Science Associates for the California Environmental Quality Act Review of the 34th America's Cup Event]
Sponsors: Mayor; Mirkarimi, Chiu, Elsbernd, Farrell, Cohen, Avalos, Wiener and Mar
Ordinance approving a waiver of the competitive bidding and solicitation requirements of Chapter 6 and Chapter 21 of the San Francisco Administrative Code for a contract with Environmental Science Associates for California Environmental Quality Act review of the 34th America's Cup Event, and coordinating and developing submittals for associated federal and state permits.

01/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110072 [Accept and Expend Grant - Federal Green Jobs Workforce Development Training Project and Amendment to the Annual Salary Ordinance for FY2010-2011 - $238,000]
Sponsors: Mayor; Mar
Ordinance authorizing the Mayor's Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $238,000 from the United States Department of Labor Employment and Training Administration to fund the Green Jobs Workforce Development Training Project, and amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of one (1) grant funded 1824 Principal Administrative Analyst at 0.5 FTE in FY2010-2011 in the Mayor's Office of Economic and Workforce Development.

01/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

110073 [Agreement - Owners' Association for Administration/Management of Mission Miracle Mile Business Improvement District]
Sponsor: Campos
Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the property-based business improvement district known as the "Mission Miracle Mile Business Improvement District," pursuant to Section 36651 of the California Streets and Highways Code.

01/25/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110074 [MUNI Youth Lifeline Discount Fast Pass Program Changes]
Sponsors: Campos; Mirkarimi, Avalos, Cohen, Kim, Mar and Chiu
Resolution urging the San Francisco Municipal Transportation Agency to adopt changes to the Youth Lifeline Discount Fast Pass Program for qualified low-income youth.

01/25/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110075 [Accept and Expend Grant - Safe Routes to School - $500,000]
Sponsor: Chiu
Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of $249,216 from the San Francisco County Transportation Authority to participate in a program entitled "San Francisco Safe Routes to School Education and Outreach Program," for the period September 1, 2011, through August 31, 2012, waiving indirect costs and to delegate authorization to execute these agreements and any amendments thereto to the Director of Public Health.

01/25/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110076 [Establishing Monthly Contribution Amount to the Health Service Trust Fund]
Sponsor: Chu
Resolution establishing monthly contribution amount to the Health Service Trust Fund. (Fiscal Impact.)

01/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110077 [Accept and Expend Grant - Incarcerated and Formerly Incarcerated Women - $12,500]
Sponsor: Mirkarimi
Resolution authorizing the Department of Adult Probation to retroactively accept and expend a grant in the amount of $12,500 from the van Löben Sels/RembeRock Foundation for partnering with Goodwill and Delancey Street to develop and implement a gender responsive plan for supervision of women on probation.

01/25/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110078 [Memorandum of Understanding Amendment - Urban Areas Security Initiative Grant Funds]
Sponsor: Mayor
Resolution approving a First Amendment to the Memorandum of Understanding (MOU) between the City and County of San Francisco, the City of Oakland, the City of San Jose, the County of Alameda, and the County of Santa Clara that establishes a governance structure and procedures for application, allocation, and distribution of federal Urban Areas Security Initiative grant funds to the Bay Area Urban Area, to extend the term of the MOU to June 30, 2011, and authorizing the Executive Director of the Department of Emergency Management to execute on behalf of the City.

01/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110079 [Accept and Expend Grant - Zellerbach Family Foundation - $159,000]
Sponsor: Mayor
Resolution authorizing the Department of Juvenile Probation to retroactively accept and expend a grant in the amount of $159,000 from the Zellerbach Family Foundation to support the Department of Juvenile Probation's ongoing efforts in organizational and leadership development, in developing and implementing evidence based practices, and in strengthening partnerships with community based organizations.

01/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110080 [Accept and Expend Grant - San Francisco Adult Treatment Drug Court - $325,000]
Sponsor: Mayor
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $325,000 from Substance Abuse and Mental Health Services to fund the San Francisco Adult Treatment Drug Court for the period September 30, 2010, through September 29, 2011.

01/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110081 [Accept and Expend Grant - San Francisco Community Justice Center - $325,000]
Sponsor: Mayor
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant from the Substance Abuse and Mental Health Services in the amount of $325,000 to fund the San Francisco Community Justice Center for the period September 30, 2010, through September 29, 2011.

01/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110098 [Approval of TEFRA Hearing for Proposed Loan - Asian Art Museum Foundation - Not to Exceed $98,400,000]
Sponsor: Chiu
Resolution approving the TEFRA Hearing in accordance with Section 147(f) of Internal Revenue Code for proposed loan among JPMorgan Chase Bank, National Association, the California Enterprise Development Authority, and the Asian Art Museum Foundation.

01/25/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110099 [Urging the California State Legislature to Pass the California Dream Act]
Sponsors: Chiu; Avalos, Campos, Kim, Mar and Mirkarimi
Resolution urging the California State Legislature to pass AB 130 and AB 131 (collectively, the California Dream Act), to provide equal access to financial aid programs for California students attending the state's public colleges and universities, regardless of a student's immigration status.

01/25/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110100 [Opposing the Sale of KUSF's FCC License to Broadcast on 90.3 FM]
Sponsors: Mirkarimi; Mar
Resolution recognizing the long and valuable public service of radio station KUSF, opposing the sale of KUSF's FCC license to broadcast on 90.3 FM, requesting the USF Board of Regents to rescind the decision to transfer KUSF's license and reinstate KUSF programming, and urging San Francisco's Federal representatives to express their opposition to KUSF's sale to the Federal Communications Commission.

01/25/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110102 [Opposing Proposed Changes to the FY2011-2012 California State Budget to Eliminate Redevelopment Agencies]
Sponsors: Cohen; Kim, Elsbernd, Campos, Avalos, Wiener, Farrell, Chiu and Chu
Resolution opposing current proposed changes to the FY 2011-2012 California State Budget to eliminate Redevelopment Agencies, urging Governor Brown and the State Legislature to retain the existing authority of Redevelopment Agencies as needed to alleviate blight particularly in disadvantage neighborhoods, produce jobs, build public infrastructure, promote urban infill in furtherance of SB 375 and fund affordable housing development, and further urging Governor Brown and the State Legislature to work with local governments to explore other alternatives to solve the state's fiscal crisis.

01/25/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

110082 [Hearing - Lyon-Martin Health Center Closure]
Sponsor: Mirkarimi
Emergency hearing regarding the closure of Lyon-Martin Health Services, the impact on their client base and provisions for continuing care or additional emergency support from the City and County of San Francisco.

01/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110083 [Hearing - Illegal Dumping in the City]
Sponsor: Avalos
Hearing on the status of the Department of Public Works' plans to curb illegal dumping in the City, including but not limited to the scope of the problem, resources devoted to this effort, effective strategies used in other localities, and immediate goals and long term plans to reduce this activity.

01/25/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110084 [Hearing - Street Tree Program]
Sponsor: Avalos
Hearing on the functions and status of the Department of Public Works' street tree program, including but not limited to the roles and responsibilities of the Department regarding street trees, planting and maintenance plans, status of partnerships with outside agencies and individuals, and the sustainability of the program.

01/25/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110085 [Hearing - 14 Mission Bus Line Switchbacks]
Sponsor: Avalos
Hearing on the San Francisco Municipal Transportation Agency's policies for switchbacks on the 14 Mission Bus Line, including a breakdown and cause for switchbacks, the number of line managers on the ground and their criteria for ordering switchbacks, the actual wait time for passengers who must disembark due to swithbacks, the frequency of delays on the line, and the historic trend of switchbacks on the line.

01/25/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110086 [Hearing - Community Police Advisory Boards]
Sponsor: Campos
Hearing on the state of Community Police Advisory Boards at San Francisco Police Department Stations throughout the Ctiy. Requesting that the Chief of Police or other appropriate persons at San Francisco Police Department give a general update on the Community Police Advisory Boards, including but not limited to the structure of Community Police Advisory Boards, a description of the goals of the Community Police Advisory Boards, evidence that the goals are or are not being met, and the level of community participation in the Community Police Advisory Boards.

01/25/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110087 [Hearing - Costs Associated with City Employee Benefits]
Sponsor: Chu
Hearing to address costs associated with fringe benefits, including pension and health care provided to City employees.

01/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110088 [Hearing - Ongoing Budget Updates for FY2011-2012]
Sponsor: Chu
Ongoing hearings to receive updates on anticipated budget shortfalls for FY2011-2012, and receive updates from various departments.

01/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110089 [Hearing - Update on the State's Budget for FY2011-2012]
Sponsor: Chu
Ongoing hearing to receive updates on the State's budget for FY2011-2012 and its impacts on the City and County of San Francisco.

01/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110090 [Hearing - Mayor's Office Budget Instructions for FY2011-2012 and Plans to Close the Budget Deficit]
Sponsor: Chu
Hearing to receive information regarding budget instructions issued to departments and plans to close the budget deficit for FY2011-2012.

01/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110091 [Hearing - Pedestrian Safety Advisory Committee's 2010 Report]
Sponsors: Mar; Chiu
Hearing to discuss the Pedestrian Safety Advisory Committee's 2010 Report and pedestrian safety issues.

01/25/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110092 [Hearing - Department of Building Inspection Complying with Senate Bill 1608 Madates and Other Requirements to Improve Service]
Sponsors: Mar; Chu
Hearing on the progress of the Department of Building Inspection in complying with SB 1608 mandating that a sufficient number of building inspectors be CASP certified by January 1, 2014, and to explore additional requirements that the City can implement to improve building inspection services to business owners while improving accessibility to the disabled.

01/25/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110093 [Hearing - 34th America's Cup Host City Agreement and Impacts on Port Tenants and Operations]
Sponsors: Mirkarimi; Chiu
Hearing to review the final Host City Agreement negotiated by the City for consistency with the Board's prior approval of said agreement, review of the Port's plans for tenant relocation and current status of available Port properties, briefing by Office of Economic & Workforce Development regarding implementation plans, and review of stakeholder outreach plan and the scoping of the EIR required under CEQA.

01/25/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110094 [Hearing - Citywide Public Safety Conditions]
Sponsor: Mirkarimi
Hearing to receive a report from the San Francisco Police Department and/or Mayor's Office of Criminal Justice regarding public safety conditions including citywide crime levels and trends both citywide and by police district station and/or neighborhood.

01/25/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110095 [Hearing - Psychiatric Crisis Training]
Sponsors: Mirkarimi; Avalos and Chiu
Hearing to receive a report on the status of the San Francisco Police Department training programs with respect to crisis calls involving people with psychiatric disabilities.

01/25/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110096 [Hearing - J Church Street Car Line Unreliability]
Sponsor: Wiener
Hearing on the San Francisco Municipal Transportation Agency J-Church street car line unreliability.

01/25/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110097 [Hearing - Effects of Historic Preservation Policies on Other Major Public Policy]
Sponsor: Wiener
Hearing on the impact of historic preservation policies on other major public policy goals and the need to adopt legislation to ensure that the policies are achieved.

01/25/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

110021 [Settlement of Lawsuit - Jason Davis - $4,000,000]
Ordinance authorizing settlement of the lawsuit filed by Jason Davis against the City and County of San Francisco for $4,000,000; the lawsuit was filed on August 28, 2009, in Contra Costa Superior Court, Case No. MSC 09-02405; entitled Jason L. Davis, et al. v. City and County of San Francisco, et al. (City Attorney)

01/06/11; RECEIVED AND ASSIGNED to Rules Committee.

110048 [Settlement of Lawsuit - Timothy J. Chamberlain - $65,000]
Ordinance authorizing settlement of a lawsuit filed by Timothy J. Chamberlain against the City and County of San Francisco, alleging slander of title and entitlement to declaratory relief; filed June 9, 2009, in San Francisco Superior Court, Case No. CGC-09-489245; entitled Chamberlain v. San Francisco Mayor's Office of Housing; City of San Francisco; and Does 1-100; other material terms of said settlement are set forth in the Settlement Agreement and Release of Claims contained in Board of Supervisors File No. 110048. (City Attorney)

01/10/11; RECEIVED AND ASSIGNED to Rules Committee.

110049 [Settlement of Lawsuit - Garcia, et al. - $191,000]
(City Attorney)

01/14/11; RECEIVED AND ASSIGNED to Rules Committee.

110050 [Settlement of Lawsuit - Toni Battle - $105,000]
Ordinance authorizing settlement of the lawsuit filed by Toni Battle against the City and County of San Francisco for $105,000; the lawsuit was filed on October 16, 2009, in San Francisco Superior Court, Case No. CGC 09-493489, entitled Battle v. City and County of San Francisco, et al. (City Attorney)

01/14/11; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

110004 [Mental Health Services Act Contract - Statewide Prevention and Early Intervention - $3,020,400]
Resolution supporting the assignment of the Mental Health Services Act Statewide Prevention and Early Intervention allocation, totaling $3,020,400 to the Joint Powers Authority known as the California Mental Health Services Authority. (Public Health Department)

01/04/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110020 [Airport Lease and Operating Agreement - Smarte Carte, Inc.]
Resolution approving the exercise of the last of five one-year options to extend the term of Luggage Cart Lease and Operating Agreement No. 01-0343 between Smarte Carte, Inc. and the City and County of San Francisco, by and through its Airport Commission. (Airport Commission) (Fiscal Impact.)

01/04/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110022 [Settlement of Unlitigated Claim - Ronald E. Johnson and Joseph Pasternak - $30,000]
Resolution approving the settlement of the unlitigated claim filed by Ronald E. Johnson and Joseph Pasternak against San Francisco for $30,000; claim was filed on July 14, 2010. (City Attorney)

01/06/11; RECEIVED AND ASSIGNED to Rules Committee.

110051 [Public Auction - Tax-Defaulted Real Property]
Resolution authorizing the Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)

01/11/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110052 [Construction Management Contract - Harry Tracy Water Treatment Plant Long Term Improvements Project - Not to Exceed $16,000,000]
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System Improvement Program-funded Professional Service Agreement No. CS-919R, Harry Tracy Water Treatment Plant Long Term Improvements Project, Construction Management Services Staff Augmentation, with HDR Engineering, Inc, for an amount not to exceed $16,000,000 with a term of up to 60 months, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission)
(Fiscal Impact.)

01/14/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily
Northwest corner of Hayes and Gough

City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

Garbage Cans
Southwest corner Fillmore and Haight
Southeast corner Divisadero and Haight
Southeast corner Stanyan and Haight
Southwest corner Lyon and Haight
Northwest corner Masonic and Haight
Southwest corner Buchanan and Hayes

Mailboxes
Northwest corner Laguna and Hermann
Northeast corner Buchanan and Haight
Southeast corner Oak and Fillmore

Vacant Lots
At Ellis and Divisadero, trash and graffiti

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Boxes
Southwest corner Fell and Webster
Northeast corner Linden and Buchanan
Southwest corner Haight and Steiner
Northeast corner McAllister and Scott
Southwest corner Haight and Fillmore

Bus Shelters
Southwest corner Buchanan and Haight
Southeast corner Buchanan and Hayes
Northwest corner Fillmore and Hayes
Northeast corner Hayes and Fillmore
Southwest corner McAllister and Scott
Southeast corner Masonic and Fulton
Southeast corner Stanyan and Haight
Southeast corner Geary and Masonic
Southeast corner Fulton and Masonic
Fillmore and Haight (all 4 bus stops, graffiti and grime and canopies are graffiti also canopies have graffiti)

Emergency Boxes
Northeast corner Haight and Steiner

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
In front 780 Grove
Southeast corner McAllister and Laguna
In front 1280 Webster
In front 1420 Webster
In front 438 Buchanan
1907 Buchanan

Wood Poles
Southwest corner Pine and Buchanan
Southwest corner Laguna and California
Southwest corner Webster and California
Southwest corner Divisadero and California

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

501 Fillmore
546 Haight

468 Fillmore
798 Haight
208 Scott
160 Pierce, on Haight street side
450 Haight
544 Haight
598 Haight
866 Haight
672 Stanyan
1698 Page
1500 Page
834 Divisadero
295 Buchanan

From: Supervisor John Avalos
To: Director, Department of Children Youth and their Families
Requesting/Inquiring: Requesting the Department of Children Youth and their Families to allocate resources to programs serving the constituents of District 11.

Please provide a line item summary of the resources allocated to District 11 by the Department of Children, Youth, and their Families, for the fiscal years of 2008-2009, 2009-2010, and 2010-2011, including, but not limited to:
- *Direct Services*
- *Grants*
- *Technical Services to Community-Based Organizations*

Please provide information for services provided directly City personnel as well as those contracted through community-based organizations. Please also indicate which of these services are provided within the boundaries of District 11.

From Supervisor John Avalos
To: Director, Department of Aging and Adult Services
Requesting/Inquiring: Requesting the Department of Aging and Adult Services to allocate resources to programs serving the constituents of District 11.

Please provide a line item summary of the resources allocated to District 11 by the Department of Aging and Adult Services, for the fiscal years of 2008-2009, 2009-2010, and 2010-2011, including, but not limited to:
- *Direct Services*
- *Grants*
- *Technical Services to Community-Based Organizations*

Please provide information for services provided directly City personnel as well as those contracted through community-based organizations. Please also indicate which of these services are provided within the boundaries of District 11.

From Supervisor John Avalos
To: Director, Department of Public Health
Requesting/Inquiring: Requesting the Department of Public Health to allocate resources to programs serving the constituents of District 11.

Please provide a line item summary of the resources allocated to District 11 by the Department of Public Health, for the fiscal years of 2008-2009, 2009-2010, and 2010-2011, including, but not limited to:
- *Direct Services*
- *Grants*
- *Technical Services to Community-Based Organizations*

Please provide information for services provided directly City personnel as well as those contracted through community-based organizations. Please also indicate which of these services are provided within the boundaries of District 11.

From Supervisor John Avalos
To: Director, Department on the Status of Women
Requesting/Inquiring: Requesting the Department on the Status of Women to allocate resources to programs serving the constituents of District 11.

Please provide a line item summary of the resources allocated to District 11 by the Department on the Status of Women, for the fiscal years of 2008-2009, 2009-2010, and 2010-2011, including, but not limited to:
- *Direct Services*
- *Grants*
- *Technical Services to Community-Based Organizations*

Please provide information for services provided directly City personnel as well as those contracted through community-based organizations. Please also indicate which of these services are provided within the boundaries of District 11.

From Supervisor John Avalos
To: Director, Human Services Agency
Requesting/Inquiring: Requesting the Human Services Agency to allocate resources to programs serving the constituents of District 11.

Please provide a line item summary of the resources allocated to District 11 by the Human Services Agency, for the fiscal years of 2008-2009, 2009-2010, and 2010-2011, including, but not limited to:
- *Direct Services*
- *Grants*
- *Technical Services to Community-Based Organizations*

Please provide information for services provided directly City personnel as well as those contracted through community-based organizations. Please also indicate which of these services are provided within the boundaries of District 11.

From Supervisor John Avalos
To: Director, Mayor's Office of Economic and Workforce Development
Requesting/Inquiring: Requesting the Mayor's Office of Economic and Workforce Development to allocate resources to programs serving the constituents of District 11.

Please provide a line item summary of the resources allocated to District 11 by the Mayor's Office of Economic and Workforce Development, for the fiscal years of 2008-2009, 2009-2010, and 2010-2011, including, but not limited to:
- *Direct Services*
- *Grants*
- *Technical Services to Community-Based Organizations*

Please provide information for services provided directly City personnel as well as those contracted through community-based organizations. Please also indicate which of these services are provided within the boundaries of District 11.

From Supervisor John Avalos
To: Director, Mayor's Office of Community Development
Requesting/Inquiring: Requesting the Mayor's Office of Community Development to allocate resources to programs serving the constituents of District 11.

Please provide a line item summary of the resources allocated to District 11 by the Mayor's Office of Community Development, for the fiscal years of 2008-2009, 2009-2010, and 2010-2011, including, but not limited to:

- *Direct Services*
- *Grants*
- *Technical Services to Community-Based Organizations*

Please provide information for services provided directly City personnel as well as those contracted through community-based organizations. Please also indicate which of these services are provided within the boundaries of District 11.

From Supervisor David Chiu
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation that eliminates the payroll expense tax and replaces it with a gross receipts tax.

In Memoriams

Mr. Dan Becco – Supervisor Jane Kim
Mrs. Mei Kiu Lee – Supervisor David Chiu
Mr. Larry Maloney – Supervisor Ross Mirkarimi
Mac Maximo Esperon – Supervisor Ross Mirkarimi
Mr. Anthony Jones – Supervisor Ross Mirkarimi
Mrs. Madeline Duggan – Supervisor Sean Elsbernd

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:06 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 8, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 16 2011

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, February 1, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 1:00 PM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Murase, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

101410 [Airport Promotion and Event Fund]
Sponsor: Mayor
Ordinance establishing a special fund to receive donations and authorizing expenditures for the purpose of holding events to promote the opening of the newly renovated Terminal 2 of the San Francisco International Airport; and deleting obsolete provisions.

Ordinance No. 15-11

FINALLY PASSED

101499 [Payment of Reward to John Doe - $10,000]
Sponsor: Wiener
Ordinance authorizing the Mayor's Office to reward John Doe $10,000 for providing information that led to the arrest of a criminal defendant.

Ordinance No. 14-11

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

110028 [Accept and Expend Grant - San Francisco Renewable Energy Plan - $250,000]
Sponsor: Mar
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $250,000 from the Sidney E. Frank Foundation to initiate the San Francisco Renewable Energy Plan which will lay out actionable steps to source 100% of San Francisco's electrical demand from renewable energy sources.

Resolution No. 55-11

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

101416 [Management Agreement/Lease - Stow Lake Boathouse, LLC - Operation of the Stow Lake Boathouse Concession]
Sponsor: Mar
Resolution authorizing the Recreation and Park Department General Manager to enter into a lease with Stow Lake Boathouse, LLC, for the operation of the Stow Lake Boathouse Concession in Golden Gate Park.
(Supervisor Mirkarimi dissented in committee.)

Privilege of the floor was granted to Phil Ginsburg, Recreation and Park Director, and Nicholas Kinsey (Recreation and Park) who responded to questions raised throughout the discussion regarding File No. 101416.

Resolution No. 51-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101503 [Airport Concession Lease - Books, Inc.]
Resolution retroactively approving Amendment No. 2 to North Terminal Bookstore Lease No. 00-0176 between Books, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 53-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101579 [Airport Commission Bond-Related Authorizations - Not to Exceed $1,600,000,000]
Resolution approving the issuance of not to exceed $1,600,000,000 aggregate principal amount of San Francisco International Airport Second Series Refunding Revenue Bonds to refinance Airport Bonds and Subordinate Bonds; Approving the issuance of not to exceed $125,000,000 aggregate principal amount of San Francisco International Airport Special Facilities Bonds to finance and refinance fuel storage and delivery facilities; Approving the maximum interest rates, maturity dates and number of issues of such Refunding Bonds, Subordinate Bonds and Special Facilities Bonds; Approving certain resolutions of the Airport Commission; Approving the forms of certain agreements related to such Bonds and authorizing the execution and delivery thereof; Approving certain amendments to the 1991 Resolution; and Approving certain other related matters. (Airport Commission)
(Fiscal Impact.)

Resolution No. 50-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110027 [Settlement of Potential Litigation - Asian Art Museum Foundation Bonds - City Assurance to Seek Appropriation for Bonds - $120,400,000]
Sponsors: Mayor; Chiu, Chu and Mar
Resolution approving the settlement of potential litigation involving the restructuring of the $120,400,000 California Infrastructure and Economic Development Bank Variable Rate Revenue Bonds, Series 2005 (Asian Art Museum Foundation of San Francisco) (2005 Bonds) through the execution of a Settlement Agreement by and among the City and County of San Francisco, the Asian Art Museum Foundation of San Francisco, JPMorgan Chase Bank, National Association, MBIA Insurance Corporation, National Public Finance Guarantee Corporation, and the Bank of New York Mellon Trust Company N.A., including, among other matters, the form of the Assurance Agreement under which the City will support repayment of the 2005 Bonds, and other additional material terms of such settlement.
(Fiscal Impact.)

Privilege of the floor was granted to Ben Rosenfield, Controller, Harvey Rose, Budget and Legislative Analyst, Jay Xu, Asian Art Museum of San Francisco Director, and Mark McLoughlin (Asian Art Museum of San Francisco) who responded to questions raised throughout the discussion regarding File No. 110027.

Resolution No. 48-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the City Operations and Neighborhood Services Committee

101147 [Public Works Code - Establishment of Regulatory Controls for the Discharge of Fats, Oils, and Grease Into Sewers]
Sponsor: Mar
Ordinance amending Article 4.1 of the San Francisco Public Works Code by adding Sections 140 - 140.7 to provide prohibitions, limitations, and requirements for the discharge of fats, oils, and grease into the City's sewerage system by food service establishments.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110004 [Mental Health Services Act Contract - Statewide Prevention and Early Intervention - $3,020,400]
Resolution supporting the assignment of the Mental Health Services Act Statewide Prevention and Early Intervention allocation, totaling $3,020,400 to the Joint Powers Authority known as the California Mental Health Services Authority. (Public Health Department)

Resolution No. 56-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Land Use and Economic Development Committee

101105 [Environment Code - Existing Commercial Buildings Energy Performance]
Sponsors: Mayor; Chiu, Wiener and Mar
Ordinance amending the San Francisco Environment Code by adding Chapter 20, Sections 2000 through 2009, to adopt the San Francisco Existing Commercial Buildings Energy Performance Ordinance, requiring owners of nonresidential buildings to conduct Energy Efficiency Audits of their properties and file Annual Energy Benchmark Summaries for their buildings, and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101522 [Public Works Code - Handbill Distribution]
Sponsor: Chiu
Ordinance amending the San Francisco Public Works Code by amending Sections 184.69, 184.70, and 184.72 to ban distribution of handbills on private premises unless the handbills are securely placed upon or attached to and do not damage the premises, specifying a minimum of 30-point font size for "No Handbills" signs, and replacing criminal penalties for unlawful distribution of handbills with administrative penalties, and making environmental findings.

Supervisor Chiu, seconded by Supervisor Avalos, moved that this Ordinance be CONTINUED ON FIRST READING to February 15, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110002 [Exchange of Quitclaim Deeds - San Francisco Unified School District]
Resolution (1) authorizing and directing execution of a quitclaim deed from the City and County of San Francisco to the San Francisco Unified School District, a political subdivision of the State of California, for 110 public school properties; (2) authorizing and directing the acceptance of a quitclaim deed by the City and County of San Francisco from the San Francisco Unified School District for five properties owned in fee by the City and County of San Francisco; and (3) adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

Resolution No. 54-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Chiu, seconded by Supervisor Campos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Ann Herrera of the American Heart Association in recognition of American Heart Month and their continued community support and awareness.

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Women's Initiative for Self Sufficiency in recognition of their accomplishments and continued community support.

SPECIAL ORDER 4:00 P.M.

101603 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 1269 Lombard Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated March 11, 2010, Case No. 2009.0443E, that a project located at 1269 Lombard Street is exempt from environmental review under Categorical Exemption, Classes 1 and 3 (State CEQA Guidelines Sections 15301(l)(1) and 15303(a)). The proposed project involves demolition of an existing single-family home and construction of two new single-family homes, Lot No. 023 in Assessor's Block No. 0501 (District 2) (Appellant: F. Joseph Butler, on behalf of Little House Committee) (Filed December 23, 2010; Companion Measure to File Nos. 101604, 101605, 101605.)

The President inquired as to whether any member of the public wished to address the Board. Joseph Butler (Appellant) provided an overview of the appeal and requested the Board to approve the appeal. Greg Campbell; Judith Hoyem; Frank Morrow; Carolyn Suh; Wilma Siegal; Nancy Wuerfel; spoke in support of the appeal. Tina Tam and Joy Navarrete (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Brett Gladstone (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Tom Burwell; Frederick Knapp; Charles Bloszies; Tina Moylan; Rod Handeland; Marvin Reichel; Patricia Handeland; Carol Ann Rodgers; Male Speaker; spoke in support of the project and in opposition to the appeal. Joseph Butler (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

101604 [Affirming the Exemption Determination - 1269 Lombard Street]

Motion affirming the determination by the Planning Department and Commission that the project located at 1269 Lombard Street is exempt from environmental review.

Motion No. M11-20

Supervisor Farrell, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101605 [Reversing the Exemption Determination - 1269 Lombard Street]

Motion reversing the determination by the Planning Department and Commission that the 1269 Lombard Street project is exempt from environmental review.

Supervisor Farrell, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101606 [Preparation of Findings to Reverse the Exemption Determination - 1269 Lombard Street]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department and Commission that the project located at 1269 Lombard Street is exempt from environmental review.

Supervisor Farrell, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMITTEE REPORT

110017 [Street Vacation - Resolution of Intention - Transbay Transit Center]

Resolution declaring the intention of the Board of Supervisors to vacate portions of the public right-of-way below and/or above Natoma Street, Minna Street, First Street, Fremont Street, Beale Street, Harrison Street, Folsom Street, Clementina Street, Tehama Street, Howard Street, Second Street, and Oscar Alley within the Transit Center Project area; and setting the hearing date for all persons interested in the proposed vacation of said public right-of-way areas and public service easements. (Real Estate Department)

Resolution No. 47-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to government.
Male Speaker; expressed various religious concerns.
Male Speaker; expressed concerns relating to foreign policy.
Peter Warfield; expressed concerns relating to the SF Public Library.
Inez Garibe; spoke in support of proposed KUSF legislation.
Female Speaker; spoke in support of proposed KUSF legislation.
John DiDonna; shared in poem certain concerns with the Board.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed various concerns.
Male Speaker; spoke in support of proposed KUSF legislation.
Nick Phelps; spoke in support of proposed KUSF legislation.
Male Speaker (Magaret Dee); spoke in support of proposed KUSF legislation.
Debra Davidson; expressed various concerns.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.
Irwin Swirnoff; spoke in support of proposed KUSF legislation.
Barbara Kingerry; spoke regarding her phone banking service.
Jett; spoke in support of proposed KUSF legislation.
Brandon Madley; spoke in support of proposed KUSF legislation.
Crystal Chambers; spoke in support of proposed KUSF legislation.
Daniel Cooper; spoke in support of proposed KUSF legislation.
Alex Thompson; spoke in support of proposed redevelopment legislation.
Eng Joy; spoke in support of proposed KUSF legislation.
J.J. Hollingsworth; spoke in support of proposed KUSF legislation.
Male Speaker; spoke in support of proposed KUSF legislation.
Male Speaker; expressed various concerns.
Male Speaker; spoke in support of proposed KUSF legislation.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

110077 [Accept and Expend Grant - Incarcerated and Formerly Incarcerated Women - $12,500]

Sponsor: Mirkarimi

Resolution authorizing the Department of Adult Probation to retroactively accept and expend a grant in the amount of $12,500 from the van Löben Sels/RembeRock Foundation for partnering with Goodwill and Delancey Street to develop and implement a gender responsive plan for supervision of women on probation.

Resolution No. 58-11

ADOPTED

110098 [Approval of TEFRA Hearing for Proposed Loan - Asian Art Museum Foundation - Not to Exceed $98,400,000]
Sponsor: Chiu
Resolution approving the TEFRA Hearing in accordance with Section 147(f) of Internal Revenue Code for proposed loan among JPMorgan Chase Bank, National Association, the California Enterprise Development Authority, and the Asian Art Museum Foundation.

Resolution No. 49-11

ADOPTED

110099 [Urging the California State Legislature to Pass the California Dream Act]
Sponsors: Chiu; Avalos, Campos, Kim, Mar and Mirkarimi
Resolution urging the California State Legislature to pass AB 130 and AB 131 (collectively, the California Dream Act), to provide equal access to financial aid programs for California students attending the state's public colleges and universities, regardless of a student's immigration status.

Resolution No. 57-11

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Mirkarimi requested that File No. 110100 be severed so that it may be considered separately.

110100 [Opposing the Sale of KUSF's FCC License to Broadcast on 90.3 FM]
Sponsors: Mirkarimi; Mar
Resolution recognizing the long and valuable public service of radio station KUSF, opposing the sale of KUSF's FCC license to broadcast on 90.3 FM, requesting the USF Board of Regents to rescind the decision to transfer KUSF's license and reinstate KUSF programming, and urging San Francisco's Federal representatives to express their opposition to KUSF's sale to the Federal Communications Commission.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED to February 8, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Cohen requested that File No. 110102 be severed so that it may be considered separately.

110102 [Opposing Proposed Changes to the FY2011-2012 California State Budget to Eliminate Redevelopment Agencies]
Sponsors: Cohen; Kim, Elsbernd, Campos, Avalos, Wiener, Farrell, Chiu and Chu
Resolution opposing current proposed changes to the FY 2011-2012 California State Budget to eliminate Redevelopment Agencies, urging Governor Brown and the State Legislature to retain the existing authority of Redevelopment Agencies as needed to alleviate blight particularly in disadvantage neighborhoods, produce jobs, build public infrastructure, promote urban infill in furtherance of SB 375 and fund affordable housing development, and further urging Governor Brown and the State Legislature to work with local governments to explore other alternatives to solve the state's fiscal crisis.

Resolution No. 52-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or Mayor

Ordinances

110113 [Appropriating $195,176 of General Fund Property Transfer Tax and Reducing Botanical Garden Fee Revenue for FY2010-2011]
Sponsors: Avalos; Mirkarimi, Mar, Campos and Kim
Ordinance appropriating $80,000 of General Fund from new property transfer tax and reducing botanical garden fee revenues, which will be rescinded as of March 17, 2011, in the Department of Recreation and Park for FY2010-2011.
(Fiscal Impact.)

02/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110114 [Environment Code - Yellow Pages Distribution Pilot Program]
Sponsors: Chiu; Mar, Mirkarimi and Wiener
Ordinance adding Chapter 20 to the San Francisco Environment Code to establish a three-year pilot program to reduce waste in the distribution of Yellow Pages Phone Directories to private residences and businesses in San Francisco, and to reduce neighborhood blight, by restricting distribution to circumstances where: (1) there is personal delivery of the directory to a human being; (2) there has been a request for delivery of the directory to the residence or business; or (3) directories are maintained for pick-up at a distribution center or business open to the public; and mandating a public outreach program to educate the public about the environmental harms associated with excessive distribution of Yellow Pages Phone Directories, develop and publicize alternatives to private possession of such directories, and inform the public of the option and means of obtaining such directories; and making environmental findings.
02/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/3/2011.

110115 [Summary Vacation, Jurisdictional Transfer, and Sale of City Property - Ocean Avenue and Phelan Avenue]
Sponsors: Elsbernd; Avalos
Ordinance: (1) ordering the summary vacation of an approximately 17,050 square foot portion of City property located near Ocean Avenue and Phelan Avenue pursuant to the California Streets and Highways Code Sections 8330 et seq.; (2) authorizing the jurisdictional transfer of such portion of City property from the Department of Public Works to the Municipal Transportation Agency; (3) authorizing the sale of an approximately 25,772 square foot portion of City property located near Ocean Avenue and Phelan Avenue to the San Francisco Redevelopment Agency for $4,056,580 and the grant of a pedestrian access easement and an emergency fire apparatus access easement over a portion of adjacent City property; (4) adopting environmental findings and other findings that the actions set forth in this Ordinance are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; (5) adopting findings that Administrative Code Chapter 23A does not apply to the sale of such portion of City property; and (6) authorizing other actions in furtherance of this Ordinance.
02/01/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110116 [Planning Code - Zoning Map - Presidio-Sutter Special Use District - 800 Presidio Avenue]
Sponsors: Farrell; Mar and Mirkarimi
Ordinance amending the San Francisco Planning Code by adding Section 259.53 to establish the Presidio-Sutter Special Use District for property located at 800 Presidio Avenue (Assessor's Block No. 1073, Lot No. 13); amending Sheet HT03 of the Zoning Map to change the Height and Bulk District from 40-X to 55-X; and amending Sheet SU-03 of the Zoning Map to reflect the boundaries of the Presidio-Sutter Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
02/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/3/2011.

110117 [Administrative Code - Publication Requirements]
Sponsor: Mirkarimi
Ordinance amending San Francisco Administrative Code Section 2.97 to define "Summary" for purpose of publishing Public Notices.
02/01/11; RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

110118 [Opposing the Metropolitan Transportation Commission's Proposal to Add Voting Members Representing Urban Areas]
Sponsors: Wiener; Campos and Avalos
Resolution opposing the Metropolitan Transportation Commission's proposal to add voting members representing urban areas but excluding San Francisco and other large Bay Area cities, and urging the California State Legislature to oppose the proposal.

02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110119 [Supporting Local 87 Janitors at 1 South Van Ness Avenue]
Sponsors: Wiener; Kim, Chiu, Avalos, Cohen, Campos and Mirkarimi
Resolution supporting reinstating the Janitors who have worked at 1 South Van Ness Avenue represented by Local 87.

02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110121 [Consolidation of Special Municipal Election with Special Statewide Election Anticipated for June 7, 2011]
Sponsor: Chiu
Resolution calling a Special Municipal Election for June 7, 2011, and consolidating that election with the Statewide Special Election anticipated to be held on the same date.

02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110122 [Commending The De Marillac Academy]
Sponsors: Elsbernd; Kim, Farrell and Campos
Resolution commending The De Marillac Academy on the occasion of its tenth anniversary and commending the Academy on its outstanding educational work.

02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110123 [Approving a 90-Day Extension for Planning Commission Review of Parking Controls in SoMa and Mission Bay]
Sponsor: Kim
Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would amend the San Francisco Planning Code Sections 151, 151.1, 155, 161, 249.1, 249.23, and Part VII of Article 9 to: (1) remove minimum parking requirements and establish maximum parking limits in M-1, C-M, and South of Market districts and the Folsom and Main Residential/Commercial and Fourth and Freelon Streets Special Use Districts to make them consistent with those of neighboring districts; (2) require that non-residential and non-hotel parking in C-3 in the South of Market Mixed Use districts adjacent to Downtown maintain a fee structure which discourages long-term commuter parking; and (3) make parking controls in the Mission Bay Districts that are subject to the Planning Code consistent with requirements of neighboring districts; and making environmental findings, General Plan findings, and other required findings.

02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110124 [Condemning Rush Limbaugh for Mocking Chinese President Hu Jintao]
Sponsors: Mar; Avalos, Chu, Campos, Chiu, Kim and Cohen
Resolution condemning Rush Limbaugh for mocking the Chinese language and Chinese President Hu Jintao on his radio show on January 19, 2011.

02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110125 [Apply for Department of Forestry and Fire Protection Grant for Fruit Bearing Trees]
Sponsor: Mayor
Resolution authorizing the Department of the Environment of the City and County of San Francisco to apply for funding from the Department of Forestry and Fire Protection (CalFire) as provided through Propositions 40 and 84 for a project to plant fruit bearing trees on appropriate City land.

02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110126 [Accept and Expend Grant - Implementation of Programs for the Prevention, Care, and Treatment of HIV/AIDS - $13,001]
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $13,001 from the University of California San Francisco to participate in a program entitled "Implementation of Programs for the Prevention, Care, and Treatment of HIV/AIDS" for the period of July 1, 2010, through June 30, 2011.

02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110127 [Accept and Expend Grant - Western States Node of the National Drug Abuse Treatment Clinical Trials Network - $16,876]
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $16,876 from the University of California San Francisco to participate in a program entitled "Western States Node of the National Drug Abuse Treatment Clinical Trials Network" for the period of September 1, 2010, through August 31, 2011.

02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110128 [Accept and Expend Grant - Integrating I-Tech International AIDS Education and Training Center - $20,682]
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $20,682 from the University of California San Francisco to participate in a program entitled "Integrating I-Tech International AIDS Education and Training Center" for the period of April 1, 2010, through March 31, 2011.

02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110129 [Accept and Expend Grant - Risk Reduction Project - $27,287]
Sponsor: Wiener
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $27,287 from the Public Health Foundation Enterprises, Inc., to participate in a program entitled "Risk Reduction Project" for the period of August 1, 2010, through July 14, 2012.
02/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

101564 [Memorandum of Understanding - 34th America's Cup]
Sponsors: Mayor; Chiu, Mirkarimi, Elsbernd and Chu
Resolution approving a Memorandum of Understanding between the City Controller and the Port Commission regarding the 34th America's Cup under Charter Section B7.320.
(Fiscal Impact.)
12/14/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.
02/01/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

Requests for Hearing

110130 [Hearing - Controller's Six Month Budget Status Report]
Sponsor: Chu
Hearing to receive an update from the Controller's Office on the Six Month Budget Status Report.
02/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110131 [Hearing - Economic Impact Study of Nightlife and Entertainment in San Francisco]
Sponsor: Wiener
Hearing to receive an economic impact study of nightlife and entertainment in San Francisco; requesting that the Controller, with support from the Entertainment Commission, perform an economic impact study of nightlife and entertainment in San Francisco, including for example, the number of jobs generated by the sector, the amount of taxes paid, the number of visitors drawn to San Francisco as a result of the sector, and to assess its results and to discuss potential legislation to support this sector and to ensure that it remains a contributor to San Francisco's economic and cultural life.
02/01/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110132 [Hearing - Infrastructure Financing District No. 1 - Rincon Hill Area]
Hearing of persons interested in or objecting to the proposed legislation: (1) creating the Infrastructure Financing District and adopting the Infrastructure Financing Plan for Infrastructure Financing District No. 1 (Rincon Hill Area); (2) calling for a special election and declaring the results for the Infrastructure Financing District No. 1 (Rincon Hill Area); and (3) authorizing the issuance of bonds for the Infrastructure Financing District No. 1 (Rincon Hill Area). (Clerk of the Board)
02/01/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

Introduced by the President at the Request of a Department

PROPOSED RESOLUTIONS

110054 [Emergency Contract - Replacing Sewer on Polk Street from Bush Street to Pine Street - Not to Exceed $422,339]

Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60 to replace the sewer on Polk Street from Bush Street to Pine Street with a contract amount not to exceed $421,071. (Public Utilities Commission)
(Fiscal Impact.)

01/21/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110056 [Settlement of Anticipated Litigation Against Office Depot - Receipt of $4,250,000/Payment of $48,915.40]

Resolution approving the settlement of anticipated litigation by the City and County of San Francisco against Office Depot for contract overcharge; the material terms of said settlement are: (1) the City to receive the sum of $3,750,000 in the form of a check; (2) the City to receive from Office Depot credit in the amount of $500,000 toward future purchases by the City over the next 5 years; and (3) payment to Office Depot of the sum of $48,915.40 as full and complete satisfaction of all outstanding balances owed by the City under its office supplies contract with Office Depot. (City Attorney)

01/24/11; RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Avalos
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to provide a summary of the trash receptacles located in District 11. Specifically, please provide a map detailing trash receptacle locations and types of containers currently in place.

Information on when and where receptacles have been removed and the reason cited for their removal is also requested.

Please also include information on comparative analysis on population density to the concentration of receptacles located in other districts.

Additionally, options of the various types of receptacle containers currently available would be appreciated.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

108 Haight
1133 Hayes
1230 Hayes
1304 Hayes
1308 Hayes
1379 Hayes
1480 Grove
170 Lily
224 Haight
267 Hickory
321 Linden
322 Linden
376 Ivy
498 Hayes
502 Grove
573 Hayes
616 Divisadero
Near 135 Rose
Near 140 Rose
940 Grove
501 Fillmore
2001 Grove
207 Gough

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:

Potholes, Lights, and Sidewalk Issues
Intersection of Grove & Broderick, North side of street
Intersection of Fillmore & Waller, south side of Fillmore, street sinking
Near 146 Rose

Near 375 Grove
Near 1851 Hayes
Near 1916 Grove

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans
Southwest corner Broderick & Hayes
Southeast corner Scott & Grove
Opposite 1855 Hayes
Southwest corner Lyon & Hayes
Northeast corner Masonic & Haight
Southwest corner Buchanan & Hayes

Mailboxes
Southwest corner Fulton & Gough
Northeast corner Buchanan & Haight
Near 100 Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily
Northwest corner of Hayes and Gough

City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes
Southeast corner Octavia and Ivy
Northeast corner Broderick and Hayes
Southwest corner Page and Gough
Southwest corner Hickory and Octavia
Southwest corner Steiner and Waller

Bus Shelters
Southwest corner Buchanan and Haight
Southeast corner Buchanan and Hayes
Northwest corner Fillmore and Hayes
Northeast corner Hayes and Fillmore
Southwest corner Broderick and Hayes
Northeast corner Pierce and Hayes
Northwest corner Laguna and Haight
Northwest corner Steiner and Hayes
Fillmore and Haight (all 4 bus stops, graffiti and grime and canopies are graffiti also canopies have graffiti).

Fire Hydrant
2 Haight Street
Southeast corner Scott and Grove

Emergency Boxes
Northwest corner Central and Grove
Southwest corner Gough and Fulton

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
Southwest corner Lily and Octavia
Southwest corner Page and Octavia
Southwest corner Hickory and Octavia
Southwest corner Page and Gough
Southeast corner Haight and Buchanan
Northwest corner Haight and Laguna
In front of 1045 Hayes
In front of 112 Haight
In front of 146 Rose
In front of 445 Hayes
In front of 48 Haight
In front of 211 Hickory
In front of 1570 Hayes
In front of 527 Hayes
In front of 1558 Hayes

Wood Poles
Near 140 Rose
In front of 376 Ivy

In front of 1377 Grove
In front of 2144 Hayes
In front of 648 Hayes

In Memoriams

James Howard Pye, Jr. – Supervisor Mirkarimi
Mildred Phyllis Prudhomme – Supervisor Mirkarimi
Marla Denzer – Supervisor Mirkarimi
Feng Ping Ou – Board President Chiu
Qiong Han Chu – Board President Chiu
Donna Stepanek – Supervisors Elsbernd, Campos, and Chu
Stuart Everett Brotman – Supervisor Farrell

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:09 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 8, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 16 2011

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, February 8, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 1:00 PM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Murase, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:14 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of January 4, 2011 (Regular), January 7, 2011 (Special), and January 8, 2011 (Inaugural). The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood Services Committee

101147 [Public Works Code - Establishment of Regulatory Controls for the Discharge of Fats, Oils, and Grease Into Sewers]
Sponsor: Mar
Ordinance amending Article 4.1 of the San Francisco Public Works Code by adding Sections 140 - 140.7 to provide prohibitions, limitations, and requirements for the discharge of fats, oils, and grease into the City's sewerage system by food service establishments.

Ordinance No. 18-11

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

101105 [Environment Code - Existing Commercial Buildings Energy Performance]
Sponsors: Mayor; Chiu, Wiener and Mar
Ordinance amending the San Francisco Environment Code by adding Chapter 20, Sections 2000 through 2009, to adopt the San Francisco Existing Commercial Buildings Energy Performance Ordinance, requiring owners of nonresidential buildings to conduct Energy Efficiency Audits of their properties and file Annual Energy Benchmark Summaries for their buildings, and making environmental findings.

Ordinance No. 17-11

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

110012 [Accept and Expend Grant - Clean Energy Workforce Training Program and Amendment to the Annual Salary Ordinance for FY2010-2011 - $603,888]
Sponsors: Mayor; Mar
Ordinance authorizing the Mayor's Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $603,888 from the California Employment Development Department to support the Clean Energy Workforce Training Program, and amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of one (1) grant funded 9772 Community Development Specialist position at 0.6 FTE in FY2010-2011 in the Mayor's Office of Economic and Workforce Development.

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110071 [Waiver of the Competitive Bidding and Solicitation Requirements for a Contract with Environmental Science Associates for the California Environmental Quality Act Review of the 34th America's Cup Event]

Sponsors: Mayor; Mirkarimi, Chiu, Elsbernd, Farrell, Cohen, Avalos, Wiener and Mar

Ordinance approving a waiver of the competitive bidding and solicitation requirements of Chapter 6 and Chapter 21 of the San Francisco Administrative Code for a contract with Environmental Science Associates for California Environmental Quality Act review of the 34th America's Cup Event, and coordinating and developing submittals for associated federal and state permits.

Privilege of the floor was granted to Brad Benson (Port) who responded to questions raised throughout the discussion regarding File No. 110071.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110072 [Accept and Expend Grant - Federal Green Jobs Workforce Development Training Project and Amendment to the Annual Salary Ordinance for FY2010-2011 - $238,000]

Sponsors: Mayor; Mar

Ordinance authorizing the Mayor's Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $238,000 from the United States Department of Labor Employment and Training Administration to fund the Green Jobs Workforce Development Training Project, and amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of one (1) grant funded 1824 Principal Administrative Analyst at 0.5 FTE in FY2010-2011 in the Mayor's Office of Economic and Workforce Development.

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101595 [Sale Agreement - Permanent and Temporary Easements for Highway 84 Improvement Project in Alameda County - $6,000]

Resolution approving and authorizing an agreement for the sale and conveyance of property rights in fee interest, two nonexclusive permanent easements, and three temporary easements over portions of Assessor's Parcel Numbers 85A-5400-2-3 and 507-762-005-00 located in Alameda County under the jurisdiction of the San Francisco Public Utilities Commission to State of California acting through its California Department of Transportation for a purchase price of $6,000 which includes $2,500 payment for City and County of San Francisco's administration and legal fees; adopting SFPUC's Resolution 10-0094; further adopting findings that the conveyance is in conformity with the City's General Plan Referral as required by Section 4.105 of the Charter and Section 2A.53 of the Administrative Code; is consistent with the Eight Priority Policies of City Planning Code Section 101.1; adopting that the sale/conveyance is "Categorically Exempt" from environmental review under Class 12-Surplus Government Property Sales under CEQA Guidelines; and authorizing City's Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Resolution No. 70-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110013 [Accept and Expend Grant - Community Services Block Grant - $750,000]
Sponsor: Mayor

Resolution authorizing the Mayor's Office of Economic and Workforce Development to retroactively accept and expend a Community Services Block Grant in the amount of $750,000 from the California State Department of Community Services and Development, through the Economic Opportunity Council, to support CityBuild, the Summer Youth Employment Program, and RAMP SF.

Resolution No. 68-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Land Use and Economic Development Committee

Supervisor Wiener Excused from Voting

Supervisor Campos, seconded by Supervisor Chu, moved that Supervisor Wiener be excused from voting on File No. 101464. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi
Excused: 1 - Wiener

101464 [Planning Code - Zoning - Amendment of Upper Market Neighborhood Commercial District; Extension of Market and Octavia Community Infrastructure Fee Area]
Sponsor: Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 134, 145.4, 151.1, 155, 207.7, 207.8, 263.20, 401, 416, 416.3, 416.5, 421.1, 421.3, 421.5, 721, and 721.1 to amend the Upper Market Street Neighborhood Commercial District and to extend the Market and Octavia impact fees area to include the portion of the Upper Market Street Neighborhood Commercial District lying outside the Market and Octavia Plan area; grandfathering certain pipeline projects from payment of the infrastructure fee; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Mar, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi
Excused: 1 - Wiener

Ordinance amending the San Francisco Planning Code by amending Sections 134, 145.4, 151.1, 155, 207.7, 207.8, 263.20, 401, 416, 416.3, 416.5, 421.1, 421.3, 421.5, 721, and 721.1 to amend the Upper Market Street Neighborhood Commercial District and to extend the Market and Octavia impact fees area to include the portion of the Upper Market Street Neighborhood Commercial District lying outside the Market and Octavia Plan area; grandfathering certain pipeline projects from the new controls and payment of the infrastructure fee; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Mirkarimi requested to be added as sponsor.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi
Excused: 1 - Wiener

SPECIAL ORDER 3:00 P.M.

Recommendations of the Budget and Finance Committee

110036 [Adoption of Guidelines for the Establishment and Use of Infrastructure Financing Districts]
Sponsor: Elsbernd
Resolution adopting guidelines for the establishment and use of Infrastructure Financing Districts in the City and County of San Francisco.

Privilege of the floor was granted to Michael Yarne (MOEWD) and Ben Rosenfield, Controller, who provided an overview and responded to questions raised throughout the discussion regarding Infrastructure Financing District No. 1 (Rincon Hill Area).

Supervisor Chiu, seconded by Supervisor Wiener, moved that the accompanying guidelines be AMENDED by adding 'unless non-Port land is included in a Port proposed IFD, in which case only the Port owned and/or managed land is exempt.' The motion carried by the following vote:
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Resolution No. 66-11

ADOPTED, after accepting the amendment to the accompanying guidelines, by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101559 [Approving the Infrastructure Financing Plan - Rincon Hill Area]
Sponsors: Mayor; Kim
Resolution approving the Infrastructure Financing Plan for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).
(Fiscal Impact.)

Resolution No. 65-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Board of Supervisors Sitting as a Committee of the Whole

110132 [Hearing - Infrastructure Financing District No. 1 - Rincon Hill Area]
Hearing of persons interested in or objecting to the proposed legislation: (1) creating the Infrastructure Financing District and adopting the Infrastructure Financing Plan for Infrastructure Financing District No. 1 (Rincon Hill Area); (2) calling for a special election and declaring the results for the Infrastructure Financing District No. 1 (Rincon Hill Area); and (3) authorizing the issuance of bonds for the Infrastructure Financing District No. 1 (Rincon Hill Area). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to Infrastructure Financing District No. 1 (Rincon Hill Area). James Chaffee; Mark Soloman; Ray Hartz; spoke in opposition of the district. Jamie Whitaker; spoke in support of the district. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

Recommendations of the Budget and Finance Committee

101558 [Formation of an Infrastructure Financing District - Rincon Hill Area]
Sponsors: Mayor; Kim
Resolution proposing the formation of an Infrastructure Financing District for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).
(Fiscal Impact.)

Resolution No. 64-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101562 [Intention to Issue Bonds for the Infrastructure Financing District - Rincon Hill Area]
Sponsors: Mayor; Kim
Resolution of intention to issue bonds for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).
(Fiscal Impact.)

Resolution No. 63-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101560 [Special Election for the Infrastructure Financing District - Rincon Hill Area]
Sponsors: Mayor; Kim
Resolution calling for a special election for the City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).
(Fiscal Impact.)

Resolution No. 62-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101561 [Declaring the Results of the Special Election for the Infrastructure Financing District - Rincon Hill Area]

Sponsors: Mayor; Kim

Resolution declaring the results of special election for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).
(Fiscal Impact.)

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that we were in receipt of 11 ballots, representing 14 votes for the Infrastructure Financing District No. 1 (Rincon Hill Area). Ms. Calvillo further indicated that 100% of the ballots received were in favor of the IFD and the ballot measures have passed by the required percentage.

Resolution No. 61-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101557 [Creating an Infrastructure Financing District and Adopting an Infrastructure Financing Plan - Rincon Hill Area]

Sponsors: Mayor; Kim

Ordinance creating an Infrastructure Financing District and adopting an Infrastructure Financing Plan for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).
(Fiscal Impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101563 [Authorizing Issuance of Bonds for the Infrastructure Financing District - Rincon Hill Area]

Sponsors: Mayor; Kim

Resolution authorizing the issuance of bonds for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area).
(Fiscal Impact.)

Resolution No. 60-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Kim, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Major Kurt Chew-Een Lee in recognition of his accomplishments surrounding the battle of Chosin during the Korean War.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Barbara Bobbi Lopez and the Mother's of La Voz Latina in recognition of their accomplishments and continued community support.

COMMITTEE REPORTS

Recommendations of the Rules Committee

101576 [Settlement of Lawsuit - CCSF v. Alexander A. Deanda, et al. - City to Receive $75,000]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against Alexander A. Deanda, Gerald T. Lyons, and Sheldon Morris for $45,000 from defendant Alexander A. Deanda and $30,000 from Gerald T. Lyons; the lawsuit was filed on November 24, 2008, in San Mateo Superior Court, Case No. Civ 482-183; entitled City and County of San Francisco, et al. v. Alexander A. Deanda, et al.; the City has not yet settled with defendant Sheldon Morris. (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101577 [Settlement of Lawsuit - Gang Hao O'Neil/James O'Neil - $270,000]

Ordinance authorizing settlement of the lawsuit filed by Gang Hao O'Neil and James O'Neil against the City and County of San Francisco for $270,000; the lawsuit was filed on October 5, 2009, in the San Francisco Superior Court, Case No. CGC 09-491579, entitled Gang Hao O'Neil and James O'Neil v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101592 [Settlement of Lawsuit - Mackin, et al. - $63,020]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against Kenneth Paul Mackin and Janice Mackin; Pacific Gas & Electric Company; Fremont Bank; and Does 1 through 100, to condemn and take by right of eminent domain a temporary construction easement over portions of real property located in Sunol, California, APN 096-0001-020-03; filed May 24, 2010, in Alameda County Superior Court, Case No. RG-10516566; entitled City of San Francisco v. Kenneth Paul Mackin and Janice Mackin; Pacific Gas & Electric Company; Fremont Bank; and Does 1 through 100. (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110021 [Settlement of Lawsuit - Jason Davis - $4,000,000]

Ordinance authorizing settlement of the lawsuit filed by Jason Davis against the City and County of San Francisco for $4,000,000; the lawsuit was filed on August 28, 2009, in Contra Costa Superior Court, Case No. MSC 09-02405; entitled Jason L. Davis, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110050 [Settlement of Lawsuit - Toni Battle - $105,000]

Ordinance authorizing settlement of the lawsuit filed by Toni Battle against the City and County of San Francisco for $105,000; the lawsuit was filed on October 16, 2009, in San Francisco Superior Court, Case No. CGC 09-493489, entitled Battle v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Land Use and Economic Development Committee

110026 [Accept and Expend State Grant - Removal of Abandoned Recreational Watercraft - $15,200]

Sponsor: Chiu

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of $15,200 from the California Department of Boating and Waterways, Abandoned Watercraft Abatement Fund, for removal and demolition of abandoned recreational watercraft on the Port's waterfront.

Resolution No. 71-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to government.
Damon Espher; spoke in support of proposed KUSF legislation.
Debra Davidson; expressed various concerns.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; spoke in support of proposed KUSF legislation.
Nick Fell; spoke in support of proposed KUSF legislation.
Male Speaker; expressed various religious concerns.
Irwin Swirnoff; spoke in support of proposed KUSF legislation.
Douglas Yep; expressed various concerns.
Female Speaker; spoke in support of proposed KUSF legislation.
Allen Jones; expressed various concerns.
Dale Seymore; announced an upcoming Tenderloin open house.
Ace Washington; spoke regarding Black American History Month.
Fahim; expressed concerns relating to the homeless and issues facing Taxi cab drivers.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

110121 [Consolidation of Special Municipal Election with Special Statewide Election Anticipated for June 7, 2011]
Sponsor: Chiu
Resolution calling a Special Municipal Election for June 7, 2011, and consolidating that election with the Statewide Special Election anticipated to be held on the same date.

Resolution No. 69-11

ADOPTED

110122 [Commending The De Marillac Academy]
Sponsors: Elsbernd; Kim, Farrell and Campos
Resolution commending The De Marillac Academy on the occasion of its tenth anniversary and commending the Academy on its outstanding educational work.

Supervisors Farrell and Campos requested to be added as co-sponsors.

Resolution No. 72-11

ADOPTED

110123 [Approving a 90-Day Extension for Planning Commission Review of Parking Controls in SoMa and Mission Bay]

Sponsor: Kim

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would amend the San Francisco Planning Code Sections 151, 151.1, 155, 161, 249.1, 249.23, and Part VII of Article 9 to: (1) remove minimum parking requirements and establish maximum parking limits in M-1, C-M, and South of Market districts and the Folsom and Main Residential/Commercial and Fourth and Freelon Streets Special Use Districts to make them consistent with those of neighboring districts; (2) require that non-residential and non-hotel parking in C-3 in the South of Market Mixed Use districts adjacent to Downtown maintain a fee structure which discourages long-term commuter parking; and (3) make parking controls in the Mission Bay Districts that are subject to the Planning Code consistent with requirements of neighboring districts; and making environmental findings, General Plan findings, and other required findings.

Resolution No. 67-11

ADOPTED

110124 [Condemning Rush Limbaugh for Mocking Chinese President Hu Jintao]

Sponsors: Mar; Avalos, Chu, Campos, Chiu, Kim and Cohen

Resolution condemning Rush Limbaugh for mocking the Chinese language and Chinese President Hu Jintao on his radio show on January 19, 2011.

Resolution No. 82-11

ADOPTED

110125 [Apply for Department of Forestry and Fire Protection Grant for Fruit Bearing Trees]

Sponsor: Mayor

Resolution authorizing the Department of the Environment of the City and County of San Francisco to apply for funding from the Department of Forestry and Fire Protection (CalFire) as provided through Propositions 40 and 84 for a project to plant fruit bearing trees on appropriate City land.

Resolution No. 73-11

ADOPTED

110126 [Accept and Expend Grant - Implementation of Programs for the Prevention, Care, and Treatment of HIV/AIDS - $13,001]

Sponsor: Wiener

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $13,001 from the University of California San Francisco to participate in a program entitled "Implementation of Programs for the Prevention, Care, and Treatment of HIV/AIDS" for the period of July 1, 2010, through June 30, 2011.

Resolution No. 74-11

ADOPTED

110127 [Accept and Expend Grant - Western States Node of the National Drug Abuse Treatment Clinical Trials Network - $16,876]

Sponsor: Wiener

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $16,876 from the University of California San Francisco to participate in a program entitled "Western States Node of the National Drug Abuse Treatment Clinical Trials Network" for the period of September 1, 2010, through August 31, 2011.

Resolution No. 75-11

ADOPTED

110128 [Accept and Expend Grant - Integrating I-Tech International AIDS Education and Training Center - $20,682]

Sponsor: Wiener

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $20,682 from the University of California San Francisco to participate in a program entitled "Integrating I-Tech International AIDS Education and Training Center" for the period of April 1, 2010, through March 31, 2011.

Resolution No. 77-11

ADOPTED

110129 [Accept and Expend Grant - Risk Reduction Project - $27,287]

Sponsor: Wiener

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $27,287 from the Public Health Foundation Enterprises, Inc., to participate in a program entitled "Risk Reduction Project" for the period of August 1, 2010, through July 14, 2012.

Resolution No. 76-11

ADOPTED

110118 [Opposing the Metropolitan Transportation Commission's Proposal to Add Voting Members Representing Urban Areas]

Sponsors: Wiener; Campos and Avalos

Resolution opposing the Metropolitan Transportation Commission's proposal to add voting members representing urban areas but excluding San Francisco and other large Bay Area cities, and urging the California State Legislature to oppose the proposal.

Supervisors Campos and Avalos requested to be added as co-sponsors.

Resolution No. 79-11

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Mirkarimi requested that File No. 110100 be severed so that it may be considered separately.

110100 [Opposing the Sale of KUSF's FCC License to Broadcast on 90.3 FM]
Sponsors: Mirkarimi; Mar
Resolution recognizing the long and valuable public service of radio station KUSF, opposing the sale of KUSF's FCC license to broadcast on 90.3 FM, requesting the USF Board of Regents to rescind the decision to transfer KUSF's license and reinstate KUSF programming, and urging San Francisco's Federal representatives to express their opposition to KUSF's sale to the Federal Communications Commission.

Resolution No. 81-11

ADOPTED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi, Wiener
Noes: 3 - Chu, Elsbernd, Farrell

Supervisor Wiener requested that File No. 110119 be severed so that it may be considered separately.

110119 [Supporting Local 87 Janitors at 1 South Van Ness Avenue]
Sponsors: Wiener; Kim, Chiu, Avalos, Cohen, Campos and Mirkarimi
Resolution supporting reinstating the Janitors who have worked at 1 South Van Ness Avenue represented by Local 87.

Supervisor Wiener, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisors Campos and Mirkarimi requested to be added as co-sponsors.

Resolution No. 80-11

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

The President inquired as to whether any member of the public wished to address the Board relating to Financial Aid Awareness Week as referenced in File No. 110149. There were no speakers. The President declared public comment closed.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Campos, seconded by Supervisor Mar, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Campos, seconded by Supervisor Mar, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110149 [Financial Aid Awareness Week - February 6-12, 2011]
Sponsors: Campos; Avalos, Cohen, Chu, Farrell, Kim, Mar and Chiu
Resolution declaring February 6-12, 2011, as Financial Aid Awareness Week.

Supervisor Chiu requested to be added as a co-sponsor.

Resolution No. 78-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or Mayor

Ordinances

110150 [Administrative Code - Process for Mayoral Appearance at the Board of Supervisors]
Sponsors: Chiu; Mar
Ordinance amending the Administrative Code by adding Section 2.11 to establish a process for the Mayor to appear at the Board of Supervisors for a question and answer session.

02/08/11; RECEIVED AND ASSIGNED to Rules Committee.

110151 [Appropriating $6,995,000 of State Loans - West Marina Yacht Harbor Renovations for FY2010-2011]
Sponsor: Farrell
Ordinance appropriating $6,995,000 of loan funding from the California Department of Boating and Waterways for the renovation of the West Harbor of the San Francisco Marina Yacht Harbor in the Department of Recreation and Park for FY2010-2011.
(Fiscal Impact.)

02/08/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110152 [Planning Code - Zoning - Self-Service Restaurants, Retail Coffee Stores, and Video Stores]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 710, 730, 733A, 733A.1, 790.90, 790.91, and 790.102 to: (1) increase the maximum use size for Small Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district and eliminate the limit on the number of seats; (2) increase the minimum size for Large Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district; (3) principally permit Small Self-Service Restaurants and Video Stores in Neighborhood Commercial Cluster (NC-1) and Neighborhood Commercial Transit Cluster (NCT-1) Districts; (4) conditionally permit Large Self-Service Restaurants in the Inner Sunset Neighborhood Commercial District; (5) require that mechanical noise and vibration from Self-Service Restaurants be confined to the premises; and (6) remove the prohibition of on-site food preparation and cooking and reheating equipment in Retail Coffee Stores; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

02/08/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/10/2011.

110153 [Administrative Code - Residential Rent Ordinance - Good Samaritan Base Rent Following Emergency Dislocation of Tenant]

Sponsors: Wiener; Farrell

Ordinance amending Administrative Code Chapter 37 Residential Rent Arbitration and Stabilization Ordinance, by amending Section 37.2(a) to provide for temporary Good Samaritan base rent when a landlord and new tenant agree for the tenant to commence occupancy following an emergency such as fire or earthquake or landslide that required unexpected vacation of the tenant's previous unit, and the agreement includes a reduced rent rate for up to the first three hundred sixty-five (365) days of occupancy (Original Good Samaritan Status Period); initial base rent for purposes of calculating annual CPI increases per Section 37.3 shall be the rent payable upon expiration of the Original Good Samaritan Status Period, or upon expiration of any Extended Good Samaritan Status Period as agreed by the landlord and tenant in writing, for a total of no more than 730 days of Original and Extended Good Samaritan Status days combined; Good Samaritan status may be utilized only upon written certification by a specified City Official, that identifies the emergency and the resulting unit vacation on grounds of public health, safety, and habitability.

02/08/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/10/2011.

110154 [Appropriating $2,809,000 of General Fund Reserve - Fourth Street Bridge Project Litigation Expenses in FY2010-2011]

Sponsor: Mayor

Ordinance appropriating $2,809,000 from the General Fund Reserve to the Department of Public Works for litigation expenses related to the Santa Clara Superior Court Case between Mitchell Engineering/Obayashi Corporation v. City and County of San Francisco for the Fourth Street Bridge Project in FY2010-2011.

(Fiscal Impact.)

02/08/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110155 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion in Central Market Street and Tenderloin Area]
Sponsors: Mayor; Kim, Chiu and Farrell
Ordinance amending Article 12-A of the Business and Tax Regulations Code by adding Section 906.3 to establish a payroll expense tax exclusion for businesses located in the Central Market Street and Tenderloin Area.
(Fiscal Impact; Economic Impact.)
02/08/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/10/2011.

Resolutions

110157 [Accept and Expend Grant - Carl Moyer Program - $178,962]
Sponsor: Chiu
Resolution authorizing the Police Department to retroactively accept and expend a Carl Moyer Grant in the amount of $178,962 from the Bay Area Air Quality Management District to replace the engines on board the Marine 1 Police Boat.
02/08/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110158 [Accept and Expend Grant - State Department of Boating and Waterways - $65,000]
Sponsor: Chiu
Resolution authorizing the Police Department to retroactively accept and expend a grant in the amount of $65,000 from the California State Department of Boating and Waterways for a Boating Safety and Enforcement Grant to purchase equipment for the Marine Unit.
02/08/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110159 [Accept and Expend Grant - Safe Havens: Supervised Visitation and Safe Exchange Continuation Project - $141,586]
Sponsor: Cohen
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant from the Department of Justice in the amount of $141,586 to fund the project entitled "Safe Havens: Supervised Visitation and Safe Exchange Continuation Project" for the period of October 1, 2010, through September 30, 2011.
02/08/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110160 [Accept and Expend Grant - Arelious Walker Drive Stairway Improvement Project - $1,109,000]
Sponsor: Cohen
Resolution authorizing the Department of Public Works to accept and expend a federal grant in the amount of $1,109,000 from the Metropolitan Transportation Commission for the Arelious Walker Drive Stairway Improvement Project.
02/08/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110161 [Accept and Expend Grant - Installation of Rubber Sidewalks - Not to Exceed $12,600]

Sponsor: Cohen

Resolution authorizing the Department of Public Works to apply for grant funds in the amount up to, but not to exceed, $12,600 from the California Department of Resources Recycling and Recovery, Tire-Derived Product Grant Program for the purpose of installing rubber sidewalks and preserving mature trees.

02/08/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110162 [Oliver W. Sipple Day - September 22, 2011]

Sponsors: Campos; Wiener

Resolution declaring September 22, 2011, as Oliver W. Sipple Day in San Francisco to honor a gay American hero, who on September 22, 1975, saved the life of President Gerald Ford outside of St. Francis Hotel in Union Square in San Francisco.

02/08/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110170 [Urging the Governor of California to Protect Proposition 10 Funding for Local Children's Programs]

Sponsors: Mar; Campos

Resolution urging the Governor of California to protect Proposition 10 County funding by not sweeping $1,000,000,000 in Proposition 10 funds from local First 5 Commissions reserves, and urging a permanent diversion of 50% of all future Proposition 10 revenues.

02/08/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110171 [Park Branch Library Reopening]

Sponsor: Mirkarimi

Resolution recognizing the grand reopening of the Park Branch Library and commending the San Francisco Public Library, and its team, for their hard work and commitment to San Francisco and its residents.

110075 [Accept and Expend Grant - Safe Routes to School - $500,000]

Sponsors: Chiu; Mar

Resolution authorizing the Department of Public Health to accept and expend a grant in the amount of $500,000 in Federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvements Funds through the Metropolitan Transportation Commission's Safe Routes to School Grant Program for the period September 1, 2011, through August 31, 2013, waiving indirect costs, stating assurance to complete the project, and to delegate authorization to execute these agreements and any amendments thereto to the Director of Public Health.

01/25/11; RECEIVED AND ASSIGNED to Public Safety Committee.

02/08/11; SUBSTITUTED AND ASSIGNED to Public Safety Committee.

Motions

110167 [Suspending Board Rule 4.38 to Permit the Board of Supervisors to Consider an Amendment to Rule 5.1 Concerning the Budget and Finance Committee Structure]
Sponsor: Chu
Motion suspending Rule 4.38 of the Board of Supervisors' Rules of Order to consider, without reference, an amendment to Rule 5.1 to amend the date the Budget and Finance Committee expands to five members and the date the three member subcommittee is established from April 1 to March 1.

02/08/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110172 [Suspending Board Rule 4.38 to Permit the Board of Supervisors to Consider an Amendment to Rule 5.7 Extending the Joint City and School District Committee for One Year Ending March 1, 2012]
Sponsor: Cohen
Motion suspending Rule 4.38 of the Board of Supervisors' Rules of Order to consider, without reference, an amendment to Rule 5.7 to extend the term of the Joint City and School District Select Committee for one year ending March 1, 2012.

Requests for Hearing

110138 [Hearing - San Francisco Unified School District's Enrollment Procedures for 2011-2012 School Year]
Sponsor: Cohen
Hearing on the application procedures for enrollment in the 2011-2012 school year and San Francisco Unified School District's related outreach program, which culminate in an enrollment deadline of February 18, 2011.

02/08/11; RECEIVED AND ASSIGNED to City and School District Select Committee.

110156 [Annual Review and Adoption of the Proposed Board of Supervisors/Clerk of the Board FY2011-2012 Budget]
Hearing to consider the annual review and adoption of the proposed Board of Supervisors/Clerk of the Board FY2011-2012 Budget. (Clerk of the Board)

02/08/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110163 [Hearing - Community Policing]
Sponsor: Campos
Hearing on the state of Community Policing in San Francisco, requesting an update from the Chief of Police and Mayor's Office on the status of the efforts outlined in the November 2006 report and to clarify whether or not the department continues to embrace Community Policing Strategies.

02/08/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110164 [Hearing - Reentry Council Annual Report]
Sponsor: Mirkarimi
Hearing to receive and consider the Annual Report of the San Francisco Reentry Council.
02/08/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110165 [Hearing - City Labor Contracts Status and Provisions]
Sponsor: Chu
Hearing to receive an update from the Department of Human Resources on the status and provisions of City labor contracts.
02/08/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110166 [Hearing - Set-Asides and Reserves Policies]
Sponsor: Chu
Hearing to receive an update regarding the City's policies on set-asides and reserves.
02/08/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCE

110107 [Settlement of Lawsuit - Paul Graham - $34,271.51]
Ordinance authorizing settlement of the lawsuit filed by Paul Graham against the City and County of San Francisco for $34,271.51; the lawsuit was filed on March 12, 2009, in San Francisco Superior Court, Case No. CGC-09-486068; entitled Paul Graham, et al. v. City and County of San Francisco, et al. (City Attorney)
01/27/11; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

110108 [Settlement of Unlitigated Claim - John Payne - $220,229]
Resolution approving the settlement of the unlitigated claim filed by John Payne against the City and County of San Francisco for $220,229; claim including grievance was filed on July 9, 2010. (City Attorney)
01/28/11; RECEIVED AND ASSIGNED to Rules Committee.

110109 [Airport Lease Agreement - China Airlines, Ltd. - Building 648]
Resolution approving and authorizing the execution of Lease No. 10-0347 with China Airlines, Ltd., for cargo warehouse and support office space to be occupied by China Airlines, Ltd., in Building 648 at San Francisco International Airport.
01/28/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily
Northwest corner of Hayes and Gough

City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

Garbage Cans
Northeast corner Page and Octavia
Southeast corner Scott and Grove
Opposite 1855 Hayes
Southwest corner Ashbury and Haight
Northeast corner Octavia and Haight
Southeast corner Masonic and Haight

Mailboxes
Southeast corner Fillmore and Oak
Northeast corner Buchanan and Haight near 1800 Turk
Northwest corner Divisadero and Geary

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:

Potholes, Lights and Sidewalk Issues
Within western crosswalk of Page and Schrader
Within the intersection of Haight and Clayton
Near 687 Haight
Near 535 Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

1167 Oak
546 Haight
542 Haight
515 Haight
1701 Turk
1366 Turk
399 Haight, on the Webster side
1431 Eddy
1826 Geary
2 Avery
6 Avery
8 Avery
333 Haight
799 Haight
798 Haight
1569 Fulton
418 Haight
847 Haight
921 Haight
672 Stanyan
1500 Page
1970 Page
851 Fell
865 Fell
1787 Haight
1777 Haight
1607 Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Boxes
Southeast corner Scott and Geary
Northeast corner Eddy and Divisadero
In front of 1701 Turk

Bus Shelters
Southwest corner Buchanan and Haight
Southeast corner Buchanan and Hayes

Southwest corner Fillmore and Hayes
Northeast corner Hayes and Fillmore
Southwest corner Haight and Pierce
Northwest corner Laguna and Haight
Northeast corner Masonic and Fulton
Fillmore and Haight (all 4 bus stops, graffiti and grime and canopies are graffiti also canopies have graffiti)

Fire Hydrants
1701 Turk
Southeast corner Scott and Geary

Emergency Boxes
Northeast corner Scott and Eddy
Approximately 1655 Turk

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
Northwest corner Seymour and Turk
Southwest corner Page and Octavia
Southwest corner Hickory and Octavia
Southwest corner Page and Gough
Southeast corner Haight and Buchanan
Northwest corner Haight and Laguna
In front of 1701 Turk
In front of 1773 Turk
In front of 1739 Turk
Opposite 1910 Eddy
In front of 10 Avery
In front of 1910 Geary
In front of 335 Haight
Northwest corner Divisadero and Fulton

Wood Poles
Southwest corner Webster and Page
In front of 772 Fell
In front of 870 Fell
In front of 888 Fell
Southwest corner Haight and Clayton

From: Supervisor Chiu
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation to strengthen protections for janitorial service workers.

In Memoriams

Jessie Zmuda – Entire Board
John Traina – Supervisor Farrell
Allen Smith – Supervisor Mirkarimi
Kevin Chojczak – Supervisor Avalos
Frank Mallia – Supervisor Campos
David Kato Kisule – Supervisor Wiener

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:51 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 15, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 16 2011

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, February 15, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 1:00 PM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Commissioners Fewer, Maufas, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Volume 106 Number 8

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:13 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Mirkarimi, moved to approve the Board Meeting Minutes of January 11, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations the Budget and Finance Committee

110012 [Accept and Expend Grant - Clean Energy Workforce Training Program and Amendment to the Annual Salary Ordinance for FY2010-2011 - $603,888]
Sponsors: Mayor; Mar

Ordinance authorizing the Mayor's Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $603,888 from the California Employment Development Department to support the Clean Energy Workforce Training Program, and amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of one (1) grant funded 9772 Community Development Specialist position at 0.6 FTE in FY2010-2011 in the Mayor's Office of Economic and Workforce Development.

Ordinance No. 20-11

FINALLY PASSED

110071 [Waiver of the Competitive Bidding and Solicitation Requirements for a Contract with Environmental Science Associates for the California Environmental Quality Act Review of the 34th America's Cup Event]

Sponsors: Mayor; Mirkarimi, Chiu, Elsbernd, Farrell, Cohen, Avalos, Wiener and Mar

Ordinance approving a waiver of the competitive bidding and solicitation requirements of Chapter 6 and Chapter 21 of the San Francisco Administrative Code for a contract with Environmental Science Associates for California Environmental Quality Act review of the 34th America's Cup Event, and coordinating and developing submittals for associated federal and state permits.

Ordinance No. 27-11

FINALLY PASSED

110072 [Accept and Expend Grant - Federal Green Jobs Workforce Development Training Project and Amendment to the Annual Salary Ordinance for FY2010-2011 - $238,000]

Sponsors: Mayor; Mar

Ordinance authorizing the Mayor's Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of $238,000 from the United States Department of Labor Employment and Training Administration to fund the Green Jobs Workforce Development Training Project, and amending Ordinance No. 191-10 (Annual Salary Ordinance FY2010-2011) to reflect the addition of one (1) grant funded 1824 Principal Administrative Analyst at 0.5 FTE in FY2010-2011 in the Mayor's Office of Economic and Workforce Development.

Ordinance No. 21-11

FINALLY PASSED

101557 [Creating an Infrastructure Financing District and Adopting an Infrastructure Financing Plan - Rincon Hill Area]

Sponsors: Mayor; Kim

Ordinance creating an Infrastructure Financing District and adopting an Infrastructure Financing Plan for City and County of San Francisco Infrastructure Financing District No. 1 (Rincon Hill Area). (Fiscal Impact.)

Ordinance No. 19-11

FINALLY PASSED

Recommendations of the Rules Committee

101576 [Settlement of Lawsuit - CCSF v. Alexander A. Deanda, et al. - City to Receive $75,000]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against Alexander A. Deanda, Gerald T. Lyons, and Sheldon Morris for $45,000 from defendant Alexander A. Deanda and $30,000 from Gerald T. Lyons; the lawsuit was filed on November 24, 2008, in San Mateo Superior Court, Case No. Civ 482-183; entitled City and County of San Francisco, et al. v. Alexander A. Deanda, et al.; the City has not yet settled with defendant Sheldon Morris. (City Attorney)

Ordinance No. 23-11

FINALLY PASSED

101577 [Settlement of Lawsuit - Gang Hao O'Neil/James O'Neil - $270,000]

Ordinance authorizing settlement of the lawsuit filed by Gang Hao O'Neil and James O'Neil against the City and County of San Francisco for $270,000; the lawsuit was filed on October 5, 2009, in the San Francisco Superior Court, Case No. CGC 09-491579, entitled Gang Hao O'Neil and James O'Neil v. City and County of San Francisco. (City Attorney)

Ordinance No. 22-11

FINALLY PASSED

101592 [Settlement of Lawsuit - Mackin, et al. - $63,020]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against Kenneth Paul Mackin and Janice Mackin; Pacific Gas & Electric Company; Fremont Bank; and Does 1 through 100, to condemn and take by right of eminent domain a temporary construction easement over portions of real property located in Sunol, California, APN 096-0001-020-03; filed May 24, 2010, in Alameda County Superior Court, Case No. RG-10516566; entitled City of San Francisco v. Kenneth Paul Mackin and Janice Mackin; Pacific Gas & Electric Company; Fremont Bank; and Does 1 through 100. (City Attorney)

Ordinance No. 24-11

FINALLY PASSED

110021 [Settlement of Lawsuit - Jason Davis - $4,000,000]

Ordinance authorizing settlement of the lawsuit filed by Jason Davis against the City and County of San Francisco for $4,000,000; the lawsuit was filed on August 28, 2009, in Contra Costa Superior Court, Case No. MSC 09-02405; entitled Jason L. Davis, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 16-11

FINALLY PASSED

110050 [Settlement of Lawsuit - Toni Battle - $105,000]

Ordinance authorizing settlement of the lawsuit filed by Toni Battle against the City and County of San Francisco for $105,000; the lawsuit was filed on October 16, 2009, in San Francisco Superior Court, Case No. CGC 09-493489, entitled Battle v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 26-11

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

Supervisor Wiener Excused from Voting

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that Supervisor Wiener be excused from voting on File No. 101464. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi
Excused: 1 - Wiener

101464 [Planning Code - Zoning - Amendment of Upper Market Neighborhood Commercial District; Extension of Market and Octavia Community Infrastructure Fee Area]
Sponsor: Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 134, 145.4, 151.1, 155, 207.7, 207.8, 263.20, 401, 416, 416.3, 416.5, 421.1, 421.3, 421.5, 721, and 721.1 to amend the Upper Market Street Neighborhood Commercial District and to extend the Market and Octavia impact fees area to include the portion of the Upper Market Street Neighborhood Commercial District lying outside the Market and Octavia Plan area; grandfathering certain pipeline projects from the new controls and payment of the infrastructure fee; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 25-11

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi
Excused: 1 - Wiener

101522 [Public Works Code - Handbill Distribution]
Sponsor: Chiu

Ordinance amending the San Francisco Public Works Code by amending Sections 184.69, 184.70, and 184.72 to ban distribution of handbills on private premises unless the handbills are securely placed upon or attached to and do not damage the premises, specifying a minimum of 30-point font size for "No Handbills" signs, and replacing criminal penalties for unlawful distribution of handbills with administrative penalties, and making environmental findings.

Supervisor Chiu, seconded by Supervisor Avalos, moved that this Ordinance be RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

101124 [Appropriating $528,774 of Certificate of Participation Proceeds for Disability Access Improvement Projects and Relocation Costs in the Mayor's Office on Disability for FY2010-2011]

Sponsor: Mayor

Ordinance appropriating $528,774 of Certificate of Participation Series 2011A proceeds, including $477,732 to fund disability access improvements and $51,042 for temporary relocation costs in the Board of Supervisors chambers for the Mayor's Office on Disability in the General Services Agency, Administrative Services, for FY2010-2011 and placing $528,774 on Controller's reserve pending issuance of Certificate of Participation and $51,042 on Budget and Finance Committee Reserve pending submission of the cost details for the temporary relocation of the Board of Supervisors meetings by the Department of Technology and General Services Agency.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Noes: 1 - Avalos

110069 [Administrative Code - Health Service System Plans and Contribution Rates for FY2011-2012]

Sponsor: Chu

Ordinance amending the San Francisco Administrative Code, Chapter 16, Article XV, of Part 1 by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101431 [Lease - Portsmouth Plaza Parking Corporation - Portsmouth Square Garage Operations]

Sponsor: Chiu

Resolution authorizing the Recreation and Park Department General Manager to enter into a lease with Portsmouth Plaza Parking Corporation for the operation of the Portsmouth Square Garage.

Resolution No. 85-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101479 [Sale of Surplus Property - 909 Tennessee Street - $1,310,000]

Resolution approving the sale of an improved surplus property located at 909 Tennessee Street, within Lot No. 001, Block No. 4108, City and County of San Francisco, to the highest responsible cash bidder for a purchase price of not less than $1,310,000; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

Resolution No. 84-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101481 [Contract Amendment - Ambulance Billing - $20,000,000]

Resolution authorizing the San Francisco Fire Department to amend the Department's ambulance billing contract with ADPI West, Inc., that anticipates approximately $20,000,000 per year in revenues, authorize the first two-year contract extension; retroactively approve the first contract extension to July 1, 2010, and at the Department's discretion authorize the Department to exercise the second two-year extension for the contract. (Fire Department)

Resolution No. 91-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101502 [Professional Services Agreement - Terminal 2/Boarding Area D Renovations - Not to Exceed $16,850,000]

Resolution approving Modification No. 5 to the Professional Services Agreement for Construction Management Services for Terminal 2/Boarding Area D Renovations and Related Facilities in the amount of $1,710,000 for a new total contract amount not to exceed $16,850,000. (Airport Commission)

Privilege of the floor was granted to Harvey Rose, Budget and Legislative Analyst, and Cathy Widener (SFO) who responded to questions raised throughout the discussion regarding File No. 101502.

Resolution No. 90-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110020 [Airport Lease and Operating Agreement - Smarte Carte, Inc.]

Resolution approving the exercise of the last of five one-year options to extend the term of Luggage Cart Lease and Operating Agreement No. 01-0343 between Smarte Carte, Inc. and the City and County of San Francisco, by and through its Airport Commission. (Airport Commission) (Fiscal Impact.)

Resolution No. 88-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110052 [Construction Management Contract - Harry Tracy Water Treatment Plant Long Term Improvements Project - Not to Exceed $16,000,000]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System Improvement Program-funded Professional Service Agreement No. CS-919R, Harry Tracy Water Treatment Plant Long Term Improvements Project, Construction Management Services Staff Augmentation, with HDR Engineering, Inc, for an amount not to exceed $16,000,000 with a term of up to 60 months, pursuant to San Francisco Charter Section 9.118. (Public Utilities Commission)
(Fiscal Impact.)

Resolution No. 87-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110076 [Establishing Monthly Contribution Amount to the Health Service Trust Fund]
Sponsor: Chu

Resolution establishing monthly contribution amount to the Health Service Trust Fund.
(Fiscal Impact.)

Resolution No. 86-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Public Safety Committee

101120 [Police Code - Discharge of Firearms; Fireworks]
Sponsor: Mayor

Ordinance amending the San Francisco Police Code by amending Sections 1290, 4502, and 4506 to consolidate the prohibitions on the discharge of firearms within the City and to re-state the exceptions to those prohibitions.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Rules Committee

110037 [Confirming Appointment, San Francisco Relocation Appeals Board - Paul Kelly]
Sponsor: Mayor

Motion confirming the appointment of Paul Kelly to the San Francisco Relocation Appeals Board, for the unexpired portion of a three-year term ending January 2, 2012.
(Supervisor Kim dissented in Committee.)

President Chiu acknowledged receipt of a letter dated February 15, 2011, from Mayor Lee indicating the withdrawal of the appointment of Paul Kelly to the Relocation Appeals Board.

Supervisor Campos, seconded by Supervisor Mar, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Cohen, seconded by Supervisor Avalos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Black History Month, their accomplishments, and their continued community support as referenced below:

Supervisor Avalos recognized Deloris McGee;
Supervisor Cohen recognized Desmond Bishop;
Supervisor Campos recognized Alicia Garza (POWER);
Supervisor Wiener recognized Annie Shynebaugh;
Supervisor Elsbernd recognized Alice Guidry;
Supervisor Kim recognized Victor Nelson and Jazzie Collins;
Supervisor Mirkarimi recognized Linda Yoakum, Carmen Johnson, Marva Brooks, and Abraham Landry (Dr. Martin Luther King/ Marcus Garvey Cooperative Housing Development Board Members);
Supervisor Chu recognized Lainie McDuffie;
Supervisor Chiu recognized Allen Smith;
Supervisor Farrel recognized Leona M. Bridges; and
Supervisor Mar recognized Nino Parker.

SPECIAL ORDER 4:00 P.M.

Supervisor Elsbernd Excused from Voting

Supervisor Mirkarimi, seconded by Supervisor Farrell, moved that Supervisor Elsbernd be excused from voting on File Nos. 110041, 110042, 110043, and 110044. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Elsbernd

110041 [Appeal of Determination of Exemption from Environmental Review - 795 Foerster Street, 203 Los Palmos Drive, 207 Los Palmos Drive, and 213 Los Palmos Drive]
Hearing of persons interested in or objecting to the decision of the Planning Department and Commission dated June 8, 2009, Case No. 2008.0558E, that a project located at 795 Foerster Street, 203 Los Palmos Drive, 207 Los Palmos Drive, and 213 Los Palmos Drive is exempt from environmental review under Categorical Exemption, Classes 1 and 3 (State Guidelines Sections 15301(l)(4) and 15303(a)). The proposed project involves the subdivision of two existing lots into four and the construction of three new single-family homes fronting on Los Palmos Drive, Lot Nos. 116 and 117 in Assessor's Block No. 3027A. (District 7) (Appellant: Stephen M. Williams, on behalf of the Miraloma Park Improvement Club).
(Filed January 7, 2011; Companion Measure to File Nos. 110042, 110043. 110044.)

Supervisor Wiener, seconded by Supervisor Chu, moved that this Hearing be CONTINUED to March 22, 2011. The motion carried by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Elsbernd

Supervisor Wiener, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Elsbernd

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. Male Speaker; expressed various comments. There were no other speakers.

Supervisor Wiener, seconded by Supervisor Chu, moved that this Hearing be CONTINUED to March 22, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Elsbernd

The President CONTINUED the Hearing open to March 22, 2011.

110042 [Affirming the Exemption Determination - 795 Foerster Street, 203 Los Palmos Drive, 207 Los Palmos Drive, and 213 Los Palmos Drive]

Motion affirming the determination by the Planning Department and Commission that the project located at 795 Foerster Street, 203 Los Palmos Drive, 207 Los Palmos Drive, and 213 Los Palmos Drive is exempt from environmental review. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Chu, moved that this Motion be CONTINUED to March 22, 2011. The motion carried by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Elsbernd

Supervisor Wiener, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Elsbernd

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. Male Speaker; expressed various comments. There were no other speakers.

Supervisor Wiener, seconded by Supervisor Chu, moved that this Motion be CONTINUED to March 22, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Elsbernd

110043 [Reversing the Exemption Determination - 795 Foerster Street, 203 Los Palmos Drive, 207 Los Palmos Drive, and 213 Los Palmos Drive]

Motion reversing the determination by the Planning Department and Commission that the 795 Foerster Street, 203 Los Palmos Drive, 207 Los Palmos Drive, and 213 Los Palmos Drive project is exempt from environmental review. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Chu, moved that this Motion be CONTINUED to March 22, 2011. The motion carried by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Elsbernd

Supervisor Wiener, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Elsbernd

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. Male Speaker; expressed various comments. There were no other speakers.

Supervisor Wiener, seconded by Supervisor Chu, moved that this Motion be CONTINUED to March 22, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Elsbernd

110044 [Preparation of Findings to Reverse the Exemption Determination - 795 Foerster Street, 203 Los Palmos Drive, 207 Los Palmos Drive, and 213 Los Palmos Drive]
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department and Commission that the project located at 795 Foerster Street, 203 Los Palmos Drive, 207 Los Palmos Drive, and 213 Los Palmos Drive is exempt from environmental review. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Chu, moved that this Motion be CONTINUED to March 22, 2011. The motion carried by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Elsbernd

Supervisor Wiener, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Elsbernd

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. Male Speaker; expressed various comments. There were no other speakers.

Supervisor Wiener, seconded by Supervisor Chu, moved that this Motion be CONTINUED to March 22, 2011. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Elsbernd

COMMITTEE REPORTS

Recommendation from the Government Audit and Oversight Committee

110073 [Agreement - Owners' Association for Administration/Management of Mission Miracle Mile Business Improvement District]
Sponsor: Campos
Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the property-based business improvement district known as the "Mission Miracle Mile Business Improvement District," pursuant to Section 36651 of the California Streets and Highways Code.

Resolution No. 92-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations from the Rules Committee

Supervisor Avalos Excused from Voting

Supervisor Chu, seconded by Supervisor Mirkarimi, moved that Supervisor Avalos be excused from voting on File No. 110133. The motion carried by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

110133 [Appointment, Bay Area Air Quality Management District - Supervisor John Avalos]
Motion appointing Supervisor John Avalos, term ending February 1, 2013, to the Bay Area Air Quality Management District Board of Directors. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Motion be CONTINUED to March 1, 2011. The motion carried by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

Supervisor Kim Excused from Voting

Supervisor Campos, seconded by Supervisor Farrell, moved that Supervisor Kim be excused from voting on File No. 110136. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener
Excused: 1 - Kim

110136 [Appointment, Transbay Joint Powers Authority - Supervisor Jane Kim]
Motion appointing Supervisor Jane Kim to the Transbay Joint Powers Authority. (Clerk of the Board)

Motion No. M11-21

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener
Excused: 1 - Kim

Supervisor Mar Excused from Voting

Supervisor Chu, seconded by Supervisor Campos, moved that Supervisor Mar be excused from voting on File No. 110135. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mirkarimi, Wiener
Excused: 1 - Mar

110135 [Appointment, Urban Counties Caucus - Supervisor Eric Mar]
Motion appointing Supervisor Eric Mar, term ending December 31, 2012, to the Urban Counties Caucus. (Clerk of the Board)

Motion No. M11-22

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mirkarimi, Wiener
Excused: 1 - Mar

Supervisors Campos, Chu, Elsbernd, and Mar Excused from Voting

Supervisor Mirkarimi, seconded by Supervisor Avalos, moved that Supervisors Campos, Chu, Elsbernd, and Mar be excused from voting on File No. 110137. The motion carried by the following vote:

Ayes: 7 - Avalos, Chiu, Cohen, Farrell, Kim, Mirkarimi, Wiener
Excused: 4 - Campos, Chu, Elsbernd, Mar

110137 [Appointments, Golden Gate Bridge, Highway and Transportation District - Supervisors Sean Elsbernd, Carmen Chu, David Campos and Eric Mar]
Motion appointing Supervisors Sean Elsbernd, Carmen Chu, David Campos, and Eric Mar, terms ending January 31, 2013, to the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Clerk of the Board)

Motion No. M11-23

APPROVED by the following vote:

Ayes: 7 - Avalos, Chiu, Cohen, Farrell, Kim, Mirkarimi, Wiener
Excused: 4 - Campos, Chu, Elsbernd, Mar

101493 [Charter Amendment - Compensation of Board of Education Members]
Sponsors: Kim; Campos, Mar, Avalos and Chiu
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 8.100, to increase the compensation for members of the Board of Education from a monthly stipend of $500 to one-half the annual salary of a first-year teacher in the San Francisco Unified School District, establish training and professional development requirements for Board members, and require the City annually to appropriate to the Unified School District an amount sufficient to pay the members' salaries until the State has repaid the District for any outstanding reductions in Proposition 98 funding.

See duplicated File No. 110181.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be DUPLICATED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be CONTINUED to a Committee of the Whole on March 1, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110181 [Charter Amendment - Compensation of Board of Education Members]
Sponsors: Kim; Campos, Mar, Avalos and Chiu

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 8.100, to increase the compensation for members of the Board of Education from a monthly stipend of $500 to one-half the annual salary of a first-year teacher in the San Francisco Unified School District, establish training and professional development requirements for Board members, and require the City annually to appropriate to the Unified School District an amount sufficient to pay the members' salaries until the State has repaid the District for any outstanding reductions in Proposition 98 funding.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 8.100, to authorize the Board of Education to set the compensation for its members, not to exceed one-half the annual salary of a first-year teacher in the San Francisco Unified School District, and to establish training and professional development requirements for Board of Education members.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be CONTINUED AS AMENDED to a Committee of the Whole on March 1, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations from the City Operations and Neighborhood Services Committee

101287 [Liquor License - 1005 Minnesota Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license and the transfer of a Type 20 off-sale beer and wine license from Ferry Building, Market Place, Unit 33, the Embarcadero, to Wayne Garcia, for DIGWines, LLC, located at 1005 Minnesota Street (District 10), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 59-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110074 [MUNI Youth Lifeline Discount Fast Pass Program Changes]
Sponsors: Campos; Mirkarimi, Avalos, Cohen, Kim, Mar and Chiu
Resolution urging the San Francisco Municipal Transportation Agency to adopt changes to the Youth Lifeline Discount Fast Pass Program for qualified low-income youth.

Supervisor Chiu requested to be added as a co-sponsor.

Resolution No. 83-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Supervisor Cohen was noted absent at 2:51 p.m., and noted present at 2:57 p.m.
Supervisor Cohen was noted absent at 3:05 p.m., and noted present at 3:17 p.m.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
Male Speaker; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Mrs. Booey; expressed various concerns relating to the senior homeless community.
Male Speaker; expressed various religious concerns.
Ray Hartz; expressed concerns relating to government.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed various concerns.
Male Speaker; expressed various concerns.
Herbert Weiner; expressed concerns relating to pension reform.
Male Speaker; expressed concerns relating to payroll taxes.
Peter Warfield; expressed concerns relating to the SF Public Library.
Edmond Juicye; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

110161 [Accept and Expend Grant - Installation of Rubber Sidewalks - Not to Exceed $12,600]
Sponsor: Cohen
Resolution authorizing the Department of Public Works to apply for grant funds in the amount up to, but not to exceed, $12,600 from the California Department of Resources Recycling and Recovery, Tire-Derived Product Grant Program for the purpose of installing rubber sidewalks and preserving mature trees.

Resolution No. 89-11

ADOPTED

110162 [Oliver W. Sipple Day - September 22, 2011]
Sponsors: Campos; Wiener
Resolution declaring September 22, 2011, as Oliver W. Sipple Day in San Francisco to honor a gay American hero, who on September 22, 1975, saved the life of President Gerald Ford outside of St. Francis Hotel in Union Square in San Francisco.

Resolution No. 94-11

ADOPTED

110171 [Park Branch Library Reopening]
Sponsor: Mirkarimi
Resolution recognizing the grand reopening of the Park Branch Library and commending the San Francisco Public Library, and its team, for their hard work and commitment to San Francisco and its residents.

Resolution No. 93-11

ADOPTED

110167 [Suspending Board Rule 4.38 to Permit the Board of Supervisors to Consider an Amendment to Rule 5.1 Concerning the Budget and Finance Committee Structure]
Sponsor: Chu
Motion suspending Rule 4.38 of the Board of Supervisors' Rules of Order to consider, without reference, an amendment to Rule 5.1 to amend the date the Budget and Finance Committee expands to five members and the date the three member subcommittee is established from April 1 to March 1.

Motion No. M11-24

APPROVED

110172 [Suspending Board Rule 4.38 to Permit the Board of Supervisors to Consider an Amendment to Rule 5.7 Extending the Joint City and School District Committee for One Year Ending March 1, 2012]
Sponsor: Cohen
Motion suspending Rule 4.38 of the Board of Supervisors' Rules of Order to consider, without reference, an amendment to Rule 5.7 to extend the term of the Joint City and School District Select Committee for one year ending March 1, 2012.

Motion No. M11-25

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Elsbernd requested that File No. 110170 be severed so that it may be considered separately.

110170 [Urging the Governor of California to Protect Proposition 10 Funding for Local Children's Programs]
Sponsors: Mar; Campos
Resolution urging the Governor of California to protect Proposition 10 County funding by not sweeping $1,000,000,000 in Proposition 10 funds from local First 5 Commissions reserves, and urging a permanent diversion of 50% of all future Proposition 10 revenues.

Supervisor Campos requested to be added as a co-sponsor.

Supervisor Elsbernd, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to March 1, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or Mayor

Ordinances

110182 [Police Code, Administrative Code - Displaced Worker Protections - Certain Employees; Prevailing Wage Protections - Janitorial Employees]
Sponsor: Chiu
Ordinance amending Police Code Sections 3300C.1, 3300C.3, 3300C.5, and 3300C.6 to impose a lower (ten-employee) threshold for City contractors, subject to the Displaced Worker Ordinance, and to provide enforcement and rulemaking powers to the Office of Labor Standards Enforcement as to City contractors subject to the Act; and amending Administrative Code Section 21.25-1 to expand coverage of the prevailing wage ordinance regarding janitors to City contractors regardless of size.

02/15/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/17/2011.

110183 [Accept and Expend Grant - Broadband Technology Opportunities Program and Amendment to the Annual Salary Ordinance, FY2010-2011 - $7,931,632]
Sponsors: Mayor; Chiu and Campos
Ordinance authorizing the Department of Technology to accept and expend a grant in the amount of $7,931,632 from the U.S. Department of Commerce through the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5) Broadband Technology Opportunities Program for Sustainable Broadband Adoption Training and Services, and amending Ordinance No. 191-10 (Annual Salary Ordinance FY 2010-2011) to reflect the addition of two (2) grant-funded positions for the Department of Aging and Adult Services in Class 1823 Senior Administrative Analyst, and four (4) grant-funded positions for the Department of Technology as follows: one (1) position in Class 1823 Senior Administrative Analyst; one (1) position in Class 1844 Senior Management Assistant; one (1) position in Class 1766 Media Production Technician; and one (1) position in Class 1769 Media Production Supervisor.

02/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110184 [De-Appropriating $15,479,251 of Market Rate Bond Proceeds and Re-Appropriating to Below Market Rate - Seismic Safety Loan Program - FY2010-2011]
Sponsor: Mayor
Ordinance de-appropriating $15,479,251 of Market Rate General Obligation Bond Proceeds, Series 2007A, and re-appropriating $15,479,251 to the Below Market Rate Seismic Safety Loan Program in the Mayor's Office of Housing for FY2010-2011 and maintaining on Controller's reserve the appropriation equal to the unsold portion of the bonds.
(Fiscal Impact.)

02/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110113 [Appropriating $195,176 of General Fund Property Transfer Tax and Reducing Botanical Garden Fee Revenue for FY2010-2011]
Sponsor: Avalos
Ordinance appropriating $195,176 of General Fund from new property transfer tax and reducing botanical garden fee revenues, which will be rescinded as of March 17, 2011, in the Department of Recreation and Park for FY2010-2011.

02/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

02/08/11; REFERRED TO DEPARTMENT.

02/15/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

110068 [Administrative Code - Rewards to Informants for Information Related to the Detection of Underpayment of Property Tax]
Sponsor: Chiu
Ordinance amending the San Francisco Administrative Code by amending Chapter 10, Sections 10.177-2 and 10.177-3, authorizing the Assessor to recommend rewards for information related to the detection of underpayment of tax owed to the City and County of San Francisco.

01/25/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/24/2011.

02/01/11; REFERRED TO DEPARTMENT.

02/15/11; SUBSTITUTED AND ASSIGNED to Budget and Finance Committee.

Resolutions

110185 [Reciprocal Easement Agreement - Property Located at 150 Otis Street and 170 Otis Street]
Sponsor: Chiu
Resolution approving and authorizing a reciprocal easement agreement for the conveyance of easements over portions of City-owned property located at 150 Otis Street and 170 Otis Street, required as part of the long term ground lease to 150 Otis Associates, L.P., under San Francisco Charter Section 9.118, for the development and operation of affordable housing; adopting findings that the conveyance is in conformance with CEQA, the City's General Plan, and the priority policies of Planning Code Section 101.1; and authorizing City's Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this resolution.
02/15/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110186 [Establishing a Comprehensive Recycling Program]
Sponsors: Mirkarimi; Avalos, Mar and Campos
Resolution requesting the Recreation and Parks Department and the Department of the Environment collaborate to establish a comprehensive Parks recycling program utilizing the expertise, volunteer base, and facilities of the HANC Recycling Center in Golden Gate Park, for the Department of the Environment, to establish an Independent Recycling Center Master Plan, and requesting the Recreation and Parks Department to rescind the eviction of the HANC Recycling Center from Golden Gate Park.
(Supervisor Elsbernd dissented in Committee.)
02/15/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110187 [CEQA Findings - Public Utilities Commission Calaveras Dam Replacement Project]
Sponsor: Elsbernd
Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Water System Improvement Program Calaveras Dam Replacement Project, in Alameda and Santa Clara Counties, including the mitigation habitat actions at various sites; and directing the Clerk of the Board of Supervisors to notify the Controller of this action.
02/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110189 [Urging the California State Legislature and the Governor to Enact SB 223]
Sponsors: Chiu; Wiener, Avalos, Elsbernd, Mirkarimi and Campos
Resolution urging the California State Legislature and the Governor to enact SB 223 to allow the Board of Supervisors of any county to ask voters to consider restoring its vehicle license fee to the 1948-1998 level, giving voters the opportunity to preserve local services, public transportation, and critical programs.
02/15/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110190 [Apply for Grant - Urban Forest for Every City]
Sponsor: Mayor
Resolution authorizing the Planning Department to apply for funding from the Urban Forestry Grant Program entitled "An Urban Forest for Every City" as provided through propositions 40 and 84, to conduct a citywide tree inventory.
02/15/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

110188 [Hearing - Reserved Funds, Public Utilities Commission - $330,510,906]
Sponsor: Elsbernd
Hearing to consider release of reserved funds, Public Utilities Commission (File No. 100337, Ordinance No. 92-10) in the amount of $330,510,906 to fund the construction for the Water System Improvement Program CUW374-01 - Calaveras Dam Replacement Project.
02/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110191 [Hearing - Local Hiring for Construction Ordinance Implementation Status]
Sponsor: Avalos
Hearing on the status of implementation of the Local Hiring for Construction Ordinance.
02/15/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110192 [Hearing - City's Five-Year Financial Plan]
Sponsor: Chu
Hearing regarding the City's Five-Year Financial Plan, a requirement of Proposition A (2009).
02/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110193 [Hearing - San Francisco Unified School District - Summer School Program]
Sponsor: Cohen
Hearing on potential summer school programming for the 2011-2012 school year.
02/15/11; RECEIVED AND ASSIGNED to City and School District Select Committee.

110194 [Hearing - City's Debt Structure]
Sponsor: Farrell
Hearing on the City's debt structure and in particular the $1,360,000,000 in non-voter approved debt on the City's books.
02/15/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110195 [Hearing - Emergency Personnel Staffing Levels for Athletic Events at Golden Gate Park]
Sponsor: Mar
Hearing on minimum levels of staffing of emergency personnel required for athletic events at Golden Gate Park, including noticing requirements for street closures within the park, responsibility for route map submissions to City's emergency response staff, and noticing requirements for participants and the public.
02/15/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110196 [Hearing - Golden Gate National Recreation Area's Draft Off-Leash Dog Policy]
Sponsor: Wiener
Hearing on the effects of Golden Gate National Recreation Area's draft off-leash dog policy.
02/15/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110197 [Hearing - Charter Amendment - Compensation of Board of Education Members]
Sponsors: Kim; Campos, Mar, Avalos and Chiu
Hearing of persons interested in or objecting to the proposed Charter Amendments to amend the Charter of the City and County of San Francisco by amending Section 8.100, regarding compensation for members of the Board of Education.
02/15/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

110146 [Settlement of Lawsuit - Liberato Primer, Jr. - $125,000]
Ordinance authorizing settlement of the lawsuit filed by Liberato Primer, Jr., against the City and County of San Francisco for $125,000; the lawsuit was filed on October 5, 2009, in the San Francisco Superior Court, Case No. CGC 09-493199, entitled Liberato Primer, Jr. v. City and County of San Francisco. (City Attorney)
02/01/11; RECEIVED AND ASSIGNED to Rules Committee.

110147 [General Plan Amendment - Mission District Streetscape Plan]
Ordinance amending the San Francisco General Plan by amending Policy 5.3.7 of the Mission Area Plan to reflect the adoption of the Mission District Streetscape Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)
02/03/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/17/2011.

PROPOSED RESOLUTIONS

110148 **[Lease - ParkWide Activities, LLC - Master Bike Rental Concession Operation]**
Resolution authorizing the Recreation and Park Department General Manager to enter into a lease with ParkWide Activities, LLC, for the operation of a Master Bike Rental Concession in City Parks. (Recreation and Park Department)

02/07/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes
Southeast corner Fillmore McAllister
Northeast corner Linden & Buchanan
In front of 601 Baker
Southwest corner Arguello & Hugo

Bus Shelters
Southwest corner Buchanan & Haight
Southeast corner Buchanan & Hayes
Northeast corner Divisadero & McAllister
Northeast corner Hayes & Fillmore
Southwest corner Haight & Pierce
Northwest corner McAllister & Fillmore
Northeast corner Shrader & Parnassus
Fillmore & Haight (all 4 bus stops, graffiti and grime and canopies also have graffiti)

Fire Hydrant
Northeast corner Broderick & Fulton
Southeast corner Scott & Oak

Emergency Boxes
Southeast corner Medical Enter Way & Parnassus
Northwest corner Fillmore & McAllister

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:

Potholes, Lights and Sidewalk Issues
Western crosswalk at Grattan & Shrader
Intersection of Willard & Parnassus
Intersection of Fulton & Broderick

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans
Northwest corner Willard & Parnassus
Southeast corner Scott & Grove
Southwest corner McAllister & Baker
Northwest corner McAllister & Fillmore
Southeast corner McAllister & Buchanan

Mailboxes
Northeast corner Carl & Cole
Near 459 Fulton

Street Wall Medians and Overpasses and Sidewalks
City sidewalk repair on Page & Rose
Sidewalk repair at 1936 McAllister

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Southeast corner Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily
Northwest corner of Hayes and Gough

City star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

600 Divisadero
616 Divisadero
1355 Fulton
1326 Fulton
246 Carl
902 Divisadero
507 Divisadero
750 Central
2000 McAllister

924 Fulton
Ida B. Wells High School Wall, on Pierce & Fell
333 Haight
295 Buchanan
546 Haight
542 Haight
587 Haight
399 Haight, on the Webster side
799 Haight
798 Haight
860 McAllister
746 Divisadero
1884 McAllister
1751 McAllister
1553 McAllister

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
Northwest corner Hugo & 2nd Avenue
Northwest corner McAllister & Fillmore
Northeast corner Fulton & Buchanan
Northwest corner Stanyan & Parnansus
Southeast corner Haight & Buchanan
Northeast corner Carl & Stanyan
In front of 100 Hugo
In front of 1000 Shrader
In front of 1057 Cole
Opposite 144 Carl
In front of 1239 3rd Avenue
In front of 1256 6th Avenue
In front of 746 Central
In front of 53 Carmel

Wood Poles
Southwest corner Webster & Page
In front of 442 Carl
In front of 322 Parnassus
In front of 228 Parnassus
In front of 306 Parnassus
Carolene Marks – Entire Board
Jack Baker – Board President Chiu
Daniel Edward Kryston – Board President Chiu
Livio Conte – Supervisor Avalos
John Ross – Supervisor Avalos

In Memoriams

Carolene Marks – Entire Board
Jack Baker – Board President Chiu
Daniel Edward Kryston – Board President Chiu
Livio Conte – Supervisor Avalos
John Ross – Supervisor Avalos

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:30 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 22, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

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PUBLIC LIBRARY

Tuesday, March 1, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Fewer, Maufas, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:14 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

110079 [Accept and Expend Grant - Zellerbach Family Foundation - $159,000]
Sponsor: Mayor
Resolution authorizing the Department of Juvenile Probation to retroactively accept and expend a grant in the amount of $159,000 from the Zellerbach Family Foundation to support the Department of Juvenile Probation's ongoing efforts in organizational and leadership development, in developing and implementing evidence based practices, and in strengthening partnerships with community based organizations.

Resolution No. 100-11

ADOPTED

110080 [Accept and Expend Grant - San Francisco Adult Treatment Drug Court - $325,000]
Sponsor: Mayor
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of $325,000 from Substance Abuse and Mental Health Services to fund the San Francisco Adult Treatment Drug Court for the period September 30, 2010, through September 29, 2011.

Resolution No. 96-11

ADOPTED

110081 [Accept and Expend Grant - San Francisco Community Justice Center - $325,000]
Sponsor: Mayor
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant from the Substance Abuse and Mental Health Services in the amount of $325,000 to fund the San Francisco Community Justice Center for the period September 30, 2010, through September 29, 2011.

Resolution No. 97-11

ADOPTED

Recommendations of the Public Safety Committee

110075 [Accept and Expend Grant - Safe Routes to School - $500,000]
Sponsors: Chiu; Mar
Resolution authorizing the Department of Public Health to accept and expend a grant in the amount of $500,000 in Federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvements Funds through the Metropolitan Transportation Commission's Safe Routes to School Grant Program for the period September 1, 2011, through August 31, 2013, waiving indirect costs, stating assurance to complete the project, and to delegate authorization to execute these agreements and any amendments thereto to the Director of Public Health.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 101-11

ADOPTED

110157 [Accept and Expend Grant - Carl Moyer Program - $178,962]
Sponsor: Chiu
Resolution authorizing the Police Department to retroactively accept and expend a Carl Moyer Grant in the amount of $178,962 from the Bay Area Air Quality Management District to replace the engines on board the Marine 1 Police Boat.

Resolution No. 102-11

ADOPTED

110158 [Accept and Expend Grant - State Department of Boating and Waterways - $65,000]
Sponsor: Chiu
Resolution authorizing the Police Department to retroactively accept and expend a grant in the amount of $65,000 from the California State Department of Boating and Waterways for a Boating Safety and Enforcement Grant to purchase equipment for the Marine Unit.

Resolution No. 103-11

ADOPTED

110159 [Accept and Expend Grant - Safe Havens: Supervised Visitation and Safe Exchange Continuation Project - $141,586]

Sponsor: Cohen

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant from the Department of Justice in the amount of $141,586 to fund the project entitled "Safe Havens: Supervised Visitation and Safe Exchange Continuation Project" for the period of October 1, 2010, through September 30, 2011.

Resolution No. 104-11

ADOPTED

Recommendations of the Rules Committee

101585 [Settlement of Lawsuit - Kevin Montague - $60,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Kevin Montague against the City and County of San Francisco for $60,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

101586 [Settlement of Lawsuit - Vladimar Belfor/Victor Kanevsky - $34,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Vladimar Belfor and Victor Kanevsky against the City and County of San Francisco for $34,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

101587 [Settlement of Lawsuit - David Cheung, dba Kwok Shing Hong - $350,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by David Cheung, individually, and dba Kwok Shing Hong, against the City and County of San Francisco for $350,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

101588 [Settlement of Lawsuit - KLW, LLC - $210,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by KLW, LLC, against the City and County of San Francisco for $210,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

101589 [Settlement of Lawsuit - Sunday Bazaar/2170 Folson, LLC - $127,372]
Ordinance authorizing settlement of the portion of the lawsuit filed by Sunday Bazaar/2170 Folson, LLC, against the City and County of San Francisco for $127,372; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

101590 [Settlement of Lawsuit - Kroll Furniture - $65,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Kroll Furniture against the City and County of San Francisco for $65,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

101591 [Settlement of Lawsuit - Alphonso Oliphant/Bruce Woodard - $55,000]
Ordinance authorizing settlement of the claims made by Alphonso Oliphant and Bruce Woodard in a lawsuit filed against the City and County of San Francisco and William Siffermann for $55,000; the lawsuit was filed on November 5, 2008, in the United States District Court, Case No. CV08-5048 MMC; entitled Alphonso Oliphant, Roger Gainey and Bruce Woodard v. City and County of San Francisco, Juvenile Probation Department and William Siffermann. (City Attorney)

PASSED, ON FIRST READING

101600 [Settlement of Lawsuit - National Union - Receipt of $925,000]
Ordinance authorizing settlement of the lawsuit entitled City and County of San Francisco v. National Union, etc., et al., United States District Court, N.D. Cal., Case No: CV-103385-SI, arising from an insurance dispute involving policies issued by National Union Fire Insurance Company of Pittsburgh and sister company Chartis Specialty Insurance Company to the San Francisco Public Utilities Commission, calling for payment of $925,000 from National Union to the City and County of San Francisco and including other material terms of said settlement; and appropriating settlement proceeds. (City Attorney)

PASSED, ON FIRST READING

101608 [Settlement of Lawsuit - AboveNet Communications, Inc. - $183,479.00]
Ordinance authorizing settlement of the lawsuit filed by AboveNet Communications, Inc., formerly known as Metromedia Fiber Network Services, Inc., a Delaware corporation, against the City and County of San Francisco for $183,479.00; the lawsuit was filed on December 10, 2007, in Sacramento Superior Court, Case No. 34-2007-00882854; entitled Metromedia Fiber Network Services, Inc., a Delaware corporation, v. City and County of San Francisco, et al.; the complaint was amended on August 20, 2009, to correct the plaintiff's name to AboveNet Communications, Inc. (City Attorney)

PASSED, ON FIRST READING

110048 [Settlement of Lawsuit - Timothy J. Chamberlain - $65,000]

Ordinance authorizing settlement of a lawsuit filed by Timothy J. Chamberlain against the City and County of San Francisco, alleging slander of title and entitlement to declaratory relief; filed June 9, 2009, in San Francisco Superior Court, Case No. CGC-09-489245; entitled Chamberlain v. San Francisco Mayor's Office of Housing; City of San Francisco; and Does 1-100; other material terms of said settlement are set forth in the Settlement Agreement and Release of Claims contained in Board of Supervisors File No. 110048. (City Attorney)

PASSED, ON FIRST READING

110049 [Settlement of Lawsuit - Garcia, et al. - $191,000]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against Carolyn Marie Garcia, Successor Trustee of the Garcia Family Trust Dated October 11, 1994; Bank of America, N.A.; and Does 1 through 100; to condemn and take by right of eminent domain a permanent sub-surface soil nail easement of 492 sq ft. and a 51-month temporary construction easement (TCE) over portions of real property located in Sunol, California, APN 096-0080-004; filed May 24, 2010, in Alameda County Superior Court, Case No. RG-10516576; entitled City of San Francisco v. Stanley A. Garcia and Carolyn Marie Garcia, Trustees of the Garcia Family Trust Dated October 11, 1994; Bank of America, N.A.; and Does 1 through 100. (City Attorney)

PASSED, ON FIRST READING

110107 [Settlement of Lawsuit - Paul Graham - $34,271.51]

Ordinance authorizing settlement of the lawsuit filed by Paul Graham against the City and County of San Francisco for $34,271.51; the lawsuit was filed on March 12, 2009, in San Francisco Superior Court, Case No. CGC-09-486068; entitled Paul Graham, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

101593 [Settlement of Unlitigated Claim - California Capital Insurance Company - $57,892.75]

Resolution approving the settlement of the unlitigated claim filed by California Capital Insurance Company, as subrogee for Michelle Azevedo, against the City and County of San Francisco for $57,892.75; claim was filed on January 13, 2009. (City Attorney)

Resolution No. 105-11

ADOPTED

110022 [Settlement of Unlitigated Claim - Ronald E. Johnson and Joseph Pasternak - $30,000]

Resolution approving the settlement of the unlitigated claim filed by Ronald E. Johnson and Joseph Pasternak against San Francisco for $30,000; claim was filed on July 14, 2010. (City Attorney)

Resolution No. 106-11

ADOPTED

110056 [Settlement of Anticipated Litigation Against Office Depot - Receipt of $4,250,000/Payment of $48,915.40]

Resolution approving the settlement of anticipated litigation by the City and County of San Francisco against Office Depot for contract overcharge; the material terms of said settlement are: (1) the City to receive the sum of $3,750,000 in the form of a check; (2) the City to receive from Office Depot credit in the amount of $500,000 toward future purchases by the City over the next 5 years; and (3) payment to Office Depot of the sum of $48,915.40 as full and complete satisfaction of all outstanding balances owed by the City under its office supplies contract with Office Depot. (City Attorney)

Resolution No. 98-11

ADOPTED

110108 [Settlement of Unlitigated Claim - John Payne - $220,229]

Resolution approving the settlement of the unlitigated claim filed by John Payne against the City and County of San Francisco for $220,229; claim including grievance was filed on July 9, 2010. (City Attorney)

Resolution No. 107-11

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the Consent Agenda

Supervisor Chiu requested that File No. 101120 be severed so that it may be considered separately.

101120 [Police Code - Discharge of Firearms; Fireworks]

Sponsor: Mayor

Ordinance amending the San Francisco Police Code by amending Sections 1290, 4502, and 4506 to consolidate the prohibitions on the discharge of firearms within the City and to re-state the exceptions to those prohibitions.

Supervisor Mirkarimi, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to March 8, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

101124 [Appropriating $528,774 of Certificate of Participation Proceeds for Disability Access Improvement Projects and Relocation Costs in the Mayor's Office on Disability for FY2010-2011]

Sponsor: Mayor

Ordinance appropriating $528,774 of Certificate of Participation Series 2011A proceeds, including $477,732 to fund disability access improvements and $51,042 for temporary relocation costs in the Board of Supervisors chambers for the Mayor's Office on Disability in the General Services Agency, Administrative Services, for FY2010-2011 and placing $528,774 on Controller's reserve pending issuance of Certificate of Participation and $51,042 on Budget and Finance Committee Reserve pending submission of the cost details for the temporary relocation of the Board of Supervisors meetings by the Department of Technology and General Services Agency.
(Fiscal Impact.)

Ordinance No. 28-11

FINALLY PASSED by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Noes: 1 - Avalos

110069 [Administrative Code - Health Service System Plans and Contribution Rates for FY2011-2012]

Sponsor: Chu

Ordinance amending the San Francisco Administrative Code, Chapter 16, Article XV, of Part 1 by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.
(Fiscal Impact.)

Ordinance No. 29-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Rules Committee

Supervisor Avalos Excused from Voting

Supervisor Mar, seconded by Supervisor Mirkarimi, moved that Supervisor Avalos be excused from voting on File No. 110133. The motion carried by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

110133 [Appointment, Bay Area Air Quality Management District - Supervisor John Avalos]
Motion appointing Supervisor John Avalos, term ending February 1, 2013, to the Bay Area Air Quality Management District Board of Directors. (Clerk of the Board)

Motion No. M11-26

APPROVED by the following vote:

Ayes: 9 - Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Noes: 1 - Cohen
Excused: 1 - Avalos

NEW BUSINESS

Recommendations of the Budget and Finance Committee

101483 [Park Code - Kezar Parking Fees]
Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.08, to increase the parking fees at the Kezar Parking lot, and making environmental findings. (Recreation and Park Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101578 [Agreement - Olin Corporation - Sodium Hypochlorite - Estimated to Exceed $10,000,000]
Resolution approving the Agreement between the City and Olin Corporation, dba Olin Chlor Alkali, for Sodium Hypochlorite, which is estimated to exceed $10,000,000 pursuant to Charter Section 9.118(b). (Office of Contract Administration)
(Fiscal Impact.)

Resolution No. 108-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110051 [Public Auction - Tax-Defaulted Real Property]
Resolution authorizing the Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)

Resolution No. 109-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110054 [Emergency Contract - Replacing Sewer on Polk Street from Bush Street to Pine Street - Not to Exceed $422,339]
Resolution approving an emergency public work contract, under San Francisco Administrative Code Section 6.60, to replace the sewer on Polk Street from Bush Street to Pine Street with a contract amount not to exceed $422,339. (Public Utilities Commission)
(Fiscal Impact.)

Resolution No. 110-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110078 [Memorandum of Understanding Amendment - Urban Areas Security Initiative Grant Funds]
Sponsor: Mayor
Resolution approving a First Amendment to the Memorandum of Understanding (MOU) between the City and County of San Francisco, the City of Oakland, the City of San Jose, the County of Alameda, and the County of Santa Clara that establishes a governance structure and procedures for application, allocation, and distribution of federal Urban Areas Security Initiative grant funds to the Bay Area Urban Area, to extend the term of the MOU to June 30, 2011, and authorizing the Executive Director of the Department of Emergency Management to execute on behalf of the City.

Resolution No. 111-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110109 [Airport Lease Agreement - China Airlines, Ltd. - Building 648]
Resolution approving and authorizing the execution of Lease No. 10-0347 with China Airlines, Ltd., for cargo warehouse and support office space to be occupied by China Airlines, Ltd., in Building 648 at San Francisco International Airport.

Resolution No. 112-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Public Safety Committee

101422 [Transportation Code, Police Code - Motor Vehicles for Hire and Enforcing Parking Laws]

Sponsor: Chiu

Ordinance amending the San Francisco Transportation Code Article 3, Division I, to allow certain Municipal Transportation Agency employees to enforce specified parking laws and order removal of vehicles, and amending the Transportation Code Article 7, Division I, to make it a misdemeanor to operate a taxi, a dispatch service, or a color scheme, or to drive a motor vehicle for hire, without a permit, to solicit or accept payment for referral of passengers to a motor vehicle for hire, to solicit or accept payment for motor vehicle for hire shifts, assignments or dispatch calls, to knowingly make false or misleading representations in connection with application for, renewal of, possible revocation of, or operation of a vehicle pursuant to a permit issued under Transportation Code Article 1100, to refuse to pay the legal fare to a driver of a motor vehicle for hire, and to charge excessive rates for transport in a motor vehicle for hire; and amending the San Francisco Police Code by deleting Sections 1078, 1089, 1105, 1110, 1132, 1135, and 1145.

Supervisor Wiener, seconded by Supervisor Chu, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101480 [Administrative Code - Reentry Council; Composition of Membership, Powers and Duties, and Sunset Date]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Administrative Code Sections 5.1-1, 5.1-3, 5.1-4, and 5.1-6 to amend the membership, powers and duties, and sunset date of the Reentry Council.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110011 [Administrative Code - Composition - Justice Tracking Information System Committee Governance Council]

Sponsors: Mayor; Mirkarimi

Ordinance amending the San Francisco Administrative Code Section 2A.85 to add the City Administrator as a member of the Justice Tracking Information System (JUSTIS) Committee Governance Council and to designate the City Administrator as the Chair of the Council.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Rules Committee

110150 [Administrative Code - Process for Mayoral Appearance at the Board of Supervisors]
Sponsors: Chiu; Mar
Ordinance amending the San Francisco Administrative Code by adding Section 2.11 to establish a process for the Mayor to appear at the Board of Supervisors for a question and answer session.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to March 8, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101515 [Confirming Appointment, Port Commission - Leslie Katz]
Sponsor: Mayor
Motion confirming the appointment of Leslie Katz to the Port Commission, term ending May 1, 2014.

Motion No. M11-27

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110062 [Appointments, Golden Gate Bridge, Highway and Transportation District - Janet Reilly, Dave Snyder, Richard Grosboll, and Michael Theriault]
Motion appointing Janet Reilly, Dave Snyder, Richard Grosboll, and Michael Theriault to the Golden Gate Bridge, Highway and Transportation District, terms ending January 31, 2013. (Clerk of the Board)

Motion No. M11-28

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Campos Excused from Voting

Supervisor Mirkarimi, seconded by Supervisor Mar, moved that Supervisor Campos be excused from voting on File No. 110112. The motion carried by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Campos

110112 [Appointment, San Francisco LAFCo - Supervisor David Campos]
Motion appointing Supervisor David Campos to the San Francisco Local Agency Formation Commission, term ending February 4, 2015. (Clerk of the Board)

Motion No. M11-29

APPROVED by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Campos

Supervisor Mar Excused from Voting

Supervisor Campos, seconded by Supervisor Cohen, moved that Supervisor Mar be excused from voting on File No. 110141. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mirkarimi, Wiener
Excused: 1 - Mar

110141 [Appointment, California State Association of Counties - Supervisor Eric Mar]
Motion appointing Supervisor Eric Mar to the California State Association of Counties Board of Directors, term ending November 28, 2011. (Clerk of the Board)

Motion No. M11-30

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mirkarimi, Wiener
Excused: 1 - Mar

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

110197 [Hearing - Charter Amendment - Compensation of Board of Education Members]
Sponsors: Kim; Campos, Mar, Avalos and Chiu
Hearing of persons interested in or objecting to the proposed Charter Amendments to amend the Charter of the City and County of San Francisco by amending Section 8.100, regarding compensation for members of the Board of Education.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File Nos. 101493 and 110181. Supervisor Kim provided an overview of the proposed charter amendments. Ray Hartz; Male Speaker; Male Speaker; Female Speaker; expressed various concerns relating to the proposed charter amendment. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

From the Rules Committee Without Recommendation

101493 [Charter Amendment - Compensation of Board of Education Members]
Sponsors: Kim; Campos, Mar, Avalos and Chiu

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 8.100, to increase the compensation for members of the Board of Education from a monthly stipend of $500 to one-half the annual salary of a first-year teacher in the San Francisco Unified School District, establish training and professional development requirements for Board members, and require the City annually to appropriate to the Unified School District an amount sufficient to pay the members' salaries until the State has repaid the District for any outstanding reductions in Proposition 98 funding.

Supervisor Kim, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be TABLED. The motion carried by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi, Wiener
Noes: 3 - Chu, Elsbernd, Farrell

From the Board

110181 [Charter Amendment - Compensation of Board of Education Members]
Sponsors: Kim; Campos, Mar, Avalos and Chiu

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Section 8.100, to authorize the Board of Education to set the compensation for its members, not to exceed one-half the annual salary of a first-year teacher in the San Francisco Unified School District, and to establish training and professional development requirements for Board of Education members.

Supervisor Kim, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be ORDERED SUBMITTED. The motion carried by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi, Wiener
Noes: 3 - Chu, Elsbernd, Farrell

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

110018 **[Hearing - Street Vacation Order - Transbay Transit Center]**
Hearing of persons interested in or objecting to proposed Ordinance ordering the vacation of portions of the public right-of-way below and/or above Natoma Street, Minna Street, First Street, Fremont Street, Beale Street, Harrison Street, Folsom Street, Clementina Street, Tehama Street, Howard Street, Second Street, and Oscar Alley within the Transit Center Project area; quitclaiming the City's interest in the vacation areas to the Transbay Joint Powers Authority; accepting Department of Public Works Order No. 179,054; making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 110019. John Updike, Acting Director of Real Estate, provided an overview of the street vacation. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

From the Land Use and Economic Development Committee Without Recommendation

110019 **[Street Vacation Order - Transbay Transit Center]**
Ordinance ordering the vacation of portions of the public right-of-way below and/or above Natoma Street, Minna Street, First Street, Fremont Street, Beale Street, Harrison Street, Folsom Street, Clementina Street, Tehama Street, Howard Street, Second Street, and Oscar Alley within the Transit Center Project area; quitclaiming the City's interest in the vacation areas to the Transbay Joint Powers Authority; accepting Department of Public Works Order No. 179,054; making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener
Absent: 2 - Campos, Kim

Supervisor Kim was noted absent at 3:49 p.m.; noted present at 4:06 p.m.
Supervisor Campos was noted absent at 3:49 p.m.; noted present at 4:01 p.m.

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to the Members of the National Association of Social Workers for their accomplishments and continued community support.

SPECIAL ORDER 4:00 P.M.

101547 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 134-136 Ord Street Project]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 8, 2010, Case No. 2009.1124DDV, that a project located 134-136 Ord Street is exempt from environmental review under Categorically Exemption, Class 1 (State CEQA Guidelines Section 15301). The proposed project involves construction of a new single-family home at the front of the subject lot, which would be located in front of an existing building on the lot, on Lot No. 004, in Assessor's Block No. 2657. (District 8) (Appellant: Corbett Heights Neighbors)
(Filed December 9, 2010; Companion Measure to File Nos. 101548, 101549, 101550.)

The President inquired as to whether any member of the public wished to address the Board relating to File Nos. 101547, 101548, 101549, and 101550. Steve Williams (Appellant) provided an overview of the appeal and requested the Board to approve the appeal. Ray Hartz; Male Speaker; Sarah Sobel; Jason Sobel; Judith Hoyem; F. Joseph Butler; Daniel Freeman; Male Speaker; spoke in support of the appeal. Tina Tam (Planning Department) provided an overview of the decision of the Planning Department. Marlena Byrne (City Attorney's Office) responded to questions raised throughout the discussion. Brett Gladstone (Project Sponsor) provided an overview of the project and requested the Board to uphold the decision of the Planning Commission. John Moroney; Male Speaker; Richard Carrington; John Hudson; Jonathon Stewart Mills; Brian Adias; Terry Allen Redman; Peter Weiser; Bob Buckter; Allen Beradell; David Hale; Richard Miller; Doug Kim-Wheeler; Steve Barber; Theresa Beaumont; Walter Paulson; Shelley Bradford Belle; spoke in support of the project and in opposition to the appeal. Steve Williams (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

101548 [Affirming the Exemption Determination - 134-136 Ord Street]

Motion affirming the determination by the Planning Department that the project located at 134-136 Ord Street is exempt from environmental review.

Motion No. M11-31

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101549 [Reversing the Exemption Determination - 134-136 Ord Street]
Motion reversing the determination by the Planning Department that the 134-136 Ord Street project is exempt from environmental review.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

101550 [Preparation of Findings to Reverse the Exemption Determination - 134-136 Ord Street]
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 134-136 Ord Street is exempt from environmental review.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMITTEE REPORTS

Recommendation of the Land Use and Economic Development Committee

110185 [Reciprocal Easement Agreement - Property Located at 150 Otis Street and 170 Otis Street]
Sponsor: Chiu
Resolution approving and authorizing a reciprocal easement agreement for the conveyance of easements over portions of City-owned property located at 150 Otis Street and 170 Otis Street, required as part of the long term ground lease to 150 Otis Associates, L.P., under San Francisco Charter Section 9.118, for the development and operation of affordable housing; adopting findings that the conveyance is in conformance with CEQA, the City's General Plan, and the priority policies of Planning Code Section 101.1; and authorizing City's Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this resolution.

Resolution No. 113-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Male Speaker; expressed various concerns.
Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Male Speaker; expressed various concerns.
Ray Hartz; expressed concerns relating to government.
Walter Paulson; shared in song certain concerns with the Board.
Herbert Weiner; expressed concerns relating to government.
Leslie Dehy; expressed concerns relating to smart meters.
Majeid Crawford; expressed concerns relating to housing rights.
Male Speaker; expressed various religious concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

110190 **[Apply for Grant - Urban Forest for Every City]**
Sponsor: Mayor
Resolution authorizing the Planning Department to apply for funding from the Urban Forestry Grant Program entitled "An Urban Forest for Every City" as provided through propositions 40 and 84, to conduct a citywide tree inventory.

Resolution No. 95-11

ADOPTED

110199 **[National Sleep Awareness Week - March 7-11, 2011]**
Sponsors: Elsbernd; Mirkarimi
Resolution declaring March 7-11, 2011, as "National Sleep Awareness Week" in San Francisco.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Resolution No. 114-11

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Mar requested that File No. 110170 be severed so that it may be considered separately.

110170 [Urging the Governor of California to Protect Proposition 10 Funding for Local Children's Programs]
Sponsors: Mar; Campos
Resolution urging the Governor of California to protect Proposition 10 County funding by not sweeping $1,000,000,000 in Proposition 10 funds from local First 5 Commissions reserves, and urging a permanent diversion of 50% of all future Proposition 10 revenues.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Resolution urging the Governor of California to protect Proposition 10 County funding by not re-allocating $1,000,000,000 in Proposition 10 funds from local First 5 Commissions reserves.

ADOPTED AS AMENDED by the following vote:
Ayes: 6 - Avalos, Campos, Chiu, Kim, Mar, Mirkarimi
Noes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener

The Motion FAILED.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11- Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Mar, seconded by Supervisor Mirkarimi, moved that this Resolution be REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Chiu requested that File No. 110189 be severed so that it may be considered separately.

110189 [Urging the California State Legislature and the Governor to Enact SB 223]
Sponsors: Chiu; Wiener, Avalos, Elsbernd, Mirkarimi and Campos
Resolution urging the California State Legislature and the Governor to enact SB 223 to allow the Board of Supervisors of any county to ask voters to consider restoring its vehicle license fee to the 1948-1998 level, giving voters the opportunity to preserve local services, public transportation, and critical programs.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 99-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or Mayor

Ordinances

110221 [Administrative Code - Community Policing]
Sponsors: Campos; Mirkarimi, Cohen, Mar and Avalos
Ordinance amending the San Francisco Administrative Code by adding Section 2A.89 to: 1) set a policy of community policing in the City and County of San Francisco; 2) define community policing, and urge the Police Commission; and 3) Chief of Police to review and as necessary amend the Police Department's policies and procedures for consistency with the community policing policy.

03/01/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 3/31/2011.

110222 [Public Works Code - Declaring Illegal Dumping on Public Property a Nuisance, and Providing a Mechanism for Abating and Enforcing that Nuisance]
Sponsor: Cohen
Ordinance amending the San Francisco Public Works Code by adding Article 25, Sections 1500 through 1505 to: 1) declare the illegal dumping of debris and waste construction materials or industrial materials, or of more than 100 pounds of any other waste, refuse, or debris, on public property to be a public nuisance; 2) authorize enforcement by the City Attorney in a civil action; and 3) permit the City and County of San Francisco to collect civil penalties, costs of abatement, investigation, and attorneys' fees against the individuals or entities responsible for the dumping; and making environmental findings.

03/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/31/2011.

110223 [Public Works Code - Waiver of Street Encroachment Permit Fees - Stairway Improvements on 48th Avenue at Balboa Street]
Sponsor: Mar
Ordinance waiving the Street Encroachment Permit Fees in Public Works Code Section 2.1.1 and Public Works Code Sections 786 et seq. for stairway improvements on the unaccepted stairway located on the western side of 48th Avenue between Balboa and Anza Streets.

03/01/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

110224 [Planning Code - Zoning Map Amendment - 2301 Market Street]
Sponsor: Wiener
Ordinance amending the San Francisco Planning Code by amending Sectional Map HT07 of the Zoning Map of the City and County of San Francisco to rezone the property located at 2301 Market Street on the corner of Market and Noe Streets from a 50-X height and bulk limit to a 65-X height and bulk limit; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

03/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/31/2011.

110225 [Park Code - Botanical Garden Non-Resident Fees]
Sponsor: Mayor
Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.46 to: 1) extend admission fees to the Botanical Garden for non-San Francisco residents beyond June 30, 2011; and 2) eliminate the provision cancelling this admission fee if the Recreation and Park Department receives revenue from a new tax that can be used for Botanical Garden operating and maintenance costs, and make environmental findings.
(Fiscal Impact.)

03/01/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

110226 [Development Agreement - Treasure Island/Yerba Buena Island]
Sponsor: Mayor
Ordinance approving a Development Agreement between the City and County of San Francisco and Treasure Island Community Development, LLC, for certain real property located within the Treasure Island/Yerba Buena Island Project Area, making findings under the California Environmental Quality Act, findings of consistency with the City's General Plan and with the eight priority policies of Planning Code Section 101.1(b), and waiving certain sections of Administrative Code Chapter 56.
(Fiscal Impact, Economic Impact.)

03/01/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110227 [Planning Code - Zoning Map Amendment - Treasure Island/Yerba Buena Island - Redevelopment Plan]
Sponsor: Mayor
Ordinance amending the San Francisco Planning Code by adding new Sectional Map ZN14 of the Zoning Map of the City and County of San Francisco to show the zoning designations of Treasure Island and Yerba Buena Island; adding new Sectional Map HT14 to establish the Height and Bulk District for Treasure Island and Yerba Buena Island; adding new Sectional Map SU14 to establish the Treasure Island/Yerba Buena Island Special Use District; adopting findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
(Economic Impact.)

03/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/31/2011.

110228 [General Plan Amendments - Treasure Island/Yerba Buena Island Redevelopment Plan]
Sponsor: Mayor
Ordinance amending the San Francisco General Plan by amending the Commerce and Industry Element, Community Facilities Element, Housing Element, Recreation and Open Space Element, Transportation Element, Urban Design Element, and Land Use Index, maps and figures in various elements, in order to facilitate the development of Treasure Island and Yerba Buena Island, as envisioned in the Treasure Island/Yerba Buena Island Redevelopment Plan, adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.
(Economic Impact.)

03/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/31/2011.

110229 [Planning Code - Zoning - Treasure Island/Yerba Buena Island - Special Use District]

Sponsor: Mayor

Ordinance amending the San Francisco Planning Code by amending Section 105 relating to height and bulk limits for Treasure Island and Yerba Buena Island; adding Section [249.50] to establish the Treasure Island/Yerba Buena Island Special Use District; adding Section [263.26] to establish Special Height Provisions for the Treasure Island/Yerba Buena Island Special Use District and TI Height and Bulk District; amending the bulk limits table associated with Section 270 to recognize this District; and adopting findings, including environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1.

03/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/31/2011.

110230 [Subdivision Code - Treasure Island/Yerba Buena Island]

Sponsor: Mayor

Ordinance amending the San Francisco Subdivision Code to add Division 4 pertaining to the subdivision process applicable to development within the Treasure Island and Yerba Buena Island Development Plan Area described in the Redevelopment Plan for the Treasure Island/Yerba Buena Island Redevelopment Project, including the establishment of a procedure for reviewing and filing vesting tentative transfer maps; and making environmental findings.
(Economic Impact.)

03/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/31/2011.

110231 [Redevelopment Plan - Treasure Island/Yerba Buena Island]

Sponsor: Mayor

Ordinance approving and adopting the Redevelopment Plan for the Treasure Island/Yerba Buena Island Redevelopment Project Area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and eight priority policies of City Planning Code Section 101.1; adopting other findings pursuant to California Community Redevelopment Law.
(Fiscal Impact, Economic Impact.)

03/01/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110234 [Subdivision - Lot Merger Ordinance - 525-31 Greenwich Street and 15 Kramer Place]

Sponsor: Chiu

Ordinance providing for the merger of Lot Nos. 71 and 72 of Assessor's Block No. 0088 (525-31 Greenwich Street and 15 Kramer Place, respectively) in the City and County of San Francisco pursuant to California Government Code Sections 66451.11 et seq.

03/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/31/2011.

101053 [Planning Code - Zoning - Establishing Consistent Setback, Street Frontage, Off-Street Parking, and Other Planning Code Requirements and Procedures Across Various Use Districts]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 124, 132.2, 136, 144, 145, 145.1, 145.5, 150, 151.1, 155, 161, 186, 206.3, 209.8, 210.3, 212, 231, 243, 253, 253.2 and 307, and by repealing Sections 175.1, 175.2, 175.3, 175.4, 175.5, 209.10, and 249.26 to: 1) create comprehensive and consistent street frontage controls for residential districts; 2) create consistent ground floor controls for industrial districts; 3) permit certain small corner commercial uses in RM-3 and RM-4 districts; 4) modify floor area ratio controls in the Van Ness Special Use District; 5) modify conditional use requirements for buildings over 40 feet in RM and RC districts; 6) amend the procedure for granting exceptions from off-street parking and loading requirements; 7) allow parking and loading exceptions to preserve historic buildings and landmark trees; 8) make certain Planning Code controls consistent across C-3 Districts; and 9) streamline language and correct out-of-date Code references; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

08/03/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

08/25/10; REFERRED TO DEPARTMENT.

09/20/10; RESPONSE RECEIVED.

12/01/10; RESPONSE RECEIVED.

12/13/10; RESPONSE RECEIVED.

01/25/11; RESPONSE RECEIVED.

03/01/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

110232 [Subdivision - Intent to Adopt a Merger Ordinance and Notice - 525-31 Greenwich Street and 15 Kramer Place]

Sponsor: Chiu

Resolution declaring San Francisco's intention to adopt a Merger Ordinance, pursuant to California Government Code Section 66451.11; declaring this Resolution as the City and County's Notice of Intention to Determine Status for the proposed merger of Lot Nos. 71 and 72 of Assessor's Block No. 0088 (525-31 Greenwich Street and 15 Kramer Place, respectively); establishing a hearing date to consider adopting a Merger Ordinance; and authorizing other official actions in connection therewith.

03/01/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110235 [Accept and Expend Grant - Medicare Improvements for Patients and Providers Act - $143,128]

Sponsor: Campos

Resolution authorizing the Department of Aging and Adult Services to accept and expend a grant in the amount of $143,128 from the Centers for Medicare and Medicaid Services and the Administration on Aging, passed through the California Department on Aging, to assist in expanding Medicare beneficiary enrollment and outreach activities aimed at preventing disease and promoting health.

03/01/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110236 [Accept and Expend Grant - Buffer Zone Protection Program - $579,090]
Sponsor: Elsbernd
Resolution authorizing the Department of Emergency Management, for the City and County of San Francisco, as fiscal agent for the Bay Area region, to retroactively accept and expend a FY2008 Buffer Zone Protection Program Grant in the amount of $579,090 from the U.S. Department of Homeland Security through the California Emergency Management Agency to fund critical planning and infrastructure protection needs.

03/01/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110237 [Approval of TEFRA Hearing for Issuance of Tax-Exempt Revenue Bonds - Episcopal Senior Communities - Not to Exceed $120,000,000]
Sponsor: Farrell
Resolution approving the issuance of tax-exempt revenue bonds, by the ABAG Finance Authority for Nonprofit Corporations, for purposes of Section 147(f) of the Internal Revenue Code in an aggregate principal amount not to exceed $120,000,000 to finance and refinance various capital facilities owned by Episcopal Senior Communities.

03/01/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110238 [Renaming the Biodiesel Access Taskforce to the Biofuels Citizen's Advisory Committee, Expanding its Membership, and Establishing a Sunset Date]
Sponsor: Mirkarimi
Resolution renaming the Biodiesel Access Taskforce the Biofuels Citizen's Advisory Committee, establishing its sunset date, establishing the number of voting members of the CAC, appointing certain members of the Taskforce to the CAC, and directing the CAC to establish biofuels sustainability standards.

03/01/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110239 [Redevelopment Agency FY2010-2011 Budget Amendment]
Sponsor: Mayor
Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for FY2010-2011 Budget to: (1) authorize an additional expenditure in an amount not to exceed $75,440,000; and (2) approve the issuance by the Redevelopment Agency of Bonds in an additional principal amount not to exceed $70,000,000 to finance a portion of redevelopment activities described in the approved Budget, as amended, for FY2010-2011. (Fiscal Impact.)

03/01/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110240 [Accept and Expend Grant - Electric Vehicle Charging Equipment - $251,000]
Sponsors: Mayor; Mar
Resolution authorizing the San Francisco Department of the Environment to accept forty seven (47) electric vehicle chargers and three (3) years of service from Coulomb Technologies, Inc., as a sub-award under Grant DE-EE0003391 using Federal Recovery Act Funds from the U.S. Department of Energy to Coulomb for these purposes.

03/01/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110248 [Celebrating Governor Brown's Appointment of Julie Su, California Labor Commission]
Sponsors: Campos; Mar and Chiu
Resolution commending Governor Brown for appointing Julie Su as Chief of the California Division of Labor Standards Enforcement, also known as the California Labor Commissioner, and encouraging San Francisco's Office of Labor Standards Enforcement to collaborate with Commissioner Su to protect the labor and employment rights of low-wage workers in San Francisco.

03/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110249 [Accept and Expend Grant - PSI/Myanmar Collaborative Impact Study Planning - $25,578]
Sponsor: Campos
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant from the Regents of the University of California in the amount of $25,578 to participate in a program entitled "PSI/Myanmar Collaborative Impact Study Planning" for the period of July 1, 2010, through June 30, 2011.

03/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110250 [Supporting Governor Brown's Proposal to Eliminate the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities]
Sponsors: Campos; Kim, Mar and Avalos
Resolution supporting Governor Brown's proposal to eliminate the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities, and affirming San Francisco's moratorium against sending youth to State run detention facilities for youth.

03/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110251 [Accept and Expend Grant - Program Collaboration and Service Integration - $72,962]
Sponsor: Campos
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant from the Public Health Foundation Enterprises, Inc., in the amount of $72,962 to participate in a program entitled "Addressing Syndemics through Program Collaboration and Service Integration" for the period of September 30, 2010, through September 29, 2011.

03/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110252 [Accept and Expend Grant - Implementing New Directions in HIV Prevention in San Francisco - $26,634]
Sponsors: Chu; Campos
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant from the Public Health Foundation Enterprises, Inc., in the amount of $26,634 to participate in a program entitled "Implementing New Directions in HIV Prevention in San Francisco: A Comprehensive" for the period of September 30, 2010, through September 29, 2011.

03/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110253 [Accept and Expend Grant - WritersCorp - $10,000]
Sponsor: Cohen
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant from the Friends of the San Francisco Library in the amount of $10,000 a federal pass-through grant from the President's Committee on the Arts and Humanities' National Arts and Humanities Youth Program Award (formerly Coming Up Taller) for general operating support for WritersCorp.

03/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110254 [Supporting Mental Health Crisis Intervention Team]
Sponsors: Mirkarimi; Campos
Resolution commending the San Francisco Police Commission for implementing Mental Health Crisis Intervention Team (CIT) based on the "Memphis Model" urging stakeholder City departments and community based organizations to collaborate to provide adequate mental health services in order to facilitate the mission of the CIT and to ensure the CIT has the tools and resources necessary to achieve similar results to that of the Memphis Model.

03/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110255 [Endorsing Community Concerns of Surveillance, Racial, and Religious Profiling]
Sponsors: Mirkarimi; Mar, Avalos, Campos and Chiu
Resolution endorsing "Community Concerns of Surveillance, Racial, and Religious Profiling of Arab, Middle Eastern, Muslim, and South Asian Communities (AMEMSA) and Potential Reactivation of Police Department's Intelligence Gathering," a report published by the San Francisco Human Rights Commission.

03/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110256 [Opposing Elimination of Adult Day Health Center Programs]
Sponsors: Kim; Avalos, Mar, Campos, Mirkarimi and Chiu
Resolution opposing the proposed elimination of Medi-Cal funding for Adult Day Health Center programs in the State of California.
(Supervisor Chu dissented in committee.)

03/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110257 [Support of Peak-Hour Taxi Permits]
Sponsors: Wiener; Chiu
Resolution in support of peak-hour taxi permits, and world-class taxi service in San Francisco.

03/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110258 [Gift Acceptance - ArtCare Program - $10,000]
Sponsor: Chiu
Resolution authorizing the Arts Commission to accept and expend a donation from the Arnhold Foundation in the amount of $10,000 for general operating support of the ArtCare Program.

03/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110170 [Urging the Governor of California to Protect Proposition 10 Funding for Local Children's Programs]
Sponsors: Mar; Campos
Resolution urging the Governor of California to protect Proposition 10 County funding by not re-allocating $1,000,000,000 in Proposition 10 funds from local First 5 Commissions reserves.

02/08/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

02/15/11; CONTINUED.

03/01/11; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

03/01/11; REFERRED to City Operations and Neighborhood Services Committee.

Motions

110241 [Setting the 2011 Budget and Legislative Analyst Services Work Plan]
Sponsor: Campos
Motion approving the Budget and Legislative Analyst Services work plan for 2010, which: (a) allocates hours for calendar year 2011; (b) authorizes the Budget and Legislative Analyst to reallocate up to 10 percent of the hours between service categories based on Board of Supervisors service needs; and (c) requires Board of Supervisors approval of hours re-allocation greater than 10 percent; and establishes performance goals and sets a date for the 2011 Annual Performance Evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

03/01/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110245 [Closed Session - Pension, Health Care, and Retiree Health Care Reform]
Sponsor: Elsbernd
Motion for the Board of Supervisors to convene in closed session to consult with the City's Labor Relations Negotiators: Mayor Edwin M. Lee, Steve Kawa, Mayor's Chief of Staff, Micki Callahan, Director, Department of Human Resources, and Martin Gran, Director, Employee Relations Division, for the purpose of reviewing the City's positions and the Mayor's instructions to the Negotiators relating to: (a) pension, health care, and retiree health care reform proposals, and the meet and confer process regarding wages, hours, benefits, and working conditions currently underway between the City and City employee bargaining units to address the costs associated with providing these benefits; and (b) pending labor negotiations with organizations representing employees in the two MOUs expiring June 30, 2011 (e.g., District Attorney Investigators Association and Committee on Interns and Residents), as well as the Unrepresented Ordinance.

This closed session is held pursuant to Government Code Section 54957.6, and San Francisco Administrative Code Section 67.10(e).

03/01/11; ASSIGNED to Board of Supervisors.

Requests for Hearing

110233 [Hearing - Subdivision - Lot Merger Ordinance - 525-31 Greenwich Street and 15 Kramer Place]
Sponsor: Chiu
Hearing of persons interested in or objecting to the proposed Ordinance providing for the merger of Lot Nos. 71 and 72 of Assessor's Block No. 0088 (525-31 Greenwich Street and 15 Kramer Place, respectively) in the City and County of San Francisco pursuant to California Government Code Sections 66451.11 et seq.

03/01/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

110242 [Hearing - Transit Effectiveness Project]
Sponsor: Avalos
Hearing to receive an overview from the Controller's Office on the Municipal Transportation Authority's Transit Effectiveness Project and an update on status.

03/01/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110243 [Hearing - 2010 Government Barometer Report]
Sponsor: Avalos
Hearing on the Controller's December 2010 Government Barometer issued on February 3, 2011, for an overview of the report and a summary of highlights and recent trends in the City's major service areas.

03/01/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110244 [Hearing - America's Cup Status Reports]
Sponsors: Campos; Mirkarimi
Hearing to receive regular status reports on the America's Cup.

03/01/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCE

110173 [Settlement of Lawsuit - Esther Downes, et al. - $350,000]
Ordinance authorizing entry of judgment, pursuant to Federal Rule of Civil Procedure 68, in favor of Plaintiffs Esther Downes and the Estate of Issiah Downes, and against the City and County of San Francisco, in the amount of $350,000 in settlement of the lawsuit filed on October 1, 2010, in United States District Court, Case No. C10-4451 CW entitled "Esther Downes, et al. v. City and County of San Francisco, et al." (City Attorney)

02/18/11; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

110168 [Lease of Real Property - 1421 Broderick Street]
Resolution authorizing the exercise of a ten year option to extend the lease of the 12,417 square foot building located at 1421 Broderick Street for the Department of Public Health. (Real Estate Department)

02/14/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

02/22/11; TRANSFERRED to Budget and Finance Sub-Committee.

110169 [Appointment, Transbay Joint Powers Authority - Carter R. Rohan]
Resolution confirming the appointment of Carter R. Rohan, R. A., to serve on the Transbay Joint Powers Authority as an Alternate Member for Nathaniel P. Ford, Sr. (Municipal Transportation Agency)

02/14/11; RECEIVED AND ASSIGNED to Rules Committee.

110174 [Settlement of Claim - Homeless Prenatal Program, Inc. - $135,246.65]
Resolution approving the settlement of the unlitigated claim filed by Homeless Prenatal Program, Inc., against the City and County of San Francisco for $135,246.65; claim was filed on September 23, 2010. (City Attorney)

02/16/11; RECEIVED AND ASSIGNED to Rules Committee.

110175 [Settlement of Unlitigated Claims - East Bay Regional Park District - Public Utilities Commission Calaveras Dam Replacement Project]
Resolution approving the settlement of the unlitigated claims between the City and County of San Francisco and the East Bay Regional Park District (EBRPD) related to the San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program, Calaveras Dam Replacement Project, in Alameda County, calling for SFPUC to pay EBRPD $2,000,000 related to project construction activities, and including other material terms and conditions in a settlement and release agreement. (City Attorney)

02/18/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

02/28/11; TRANSFERRED to Budget and Finance Sub-Committee.

110176 [CEQA Findings - Public Utilities Commission Bay Division Pipeline Nos. 3 and 4 Project]
Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Bay Division Pipeline Nos. 3 and 4, Project No. CUW35302, part of the Water System Improvement Program for the improvements to the regional water supply system; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

02/17/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

1007 McAllister
745 Buchanan
515 Fillmore
300 Buchanan, on the Haight Street side
122 Webster
55 Laguna, on the Haight Street side
1751 Fulton
1140 McAllister
350 Laguna
546 Haight
542 Haight
160 Pierce
1067 Oak
1335 Fulton
1505 Gough
1515 Gough
1530 Post
1630 Sutter
1700 Bush
1890 Sutter
1940 Post
2587 Post
2426 Bush
1942 Sutter

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
Northeast corner Geary & Fillmore
Northeast corner Sutter & Cottage Row
Northwest corner Divisadero & Fulton
In front of 1505 Gough
In front of 1530 Post
In front of 1630 Sutter
Opposite 950 Fillmore
In front of 1700 Bush
In front of 1742 Bush
In front 1890 Sutter
Northeast corner Haight & Steiner
In front of 1435 Fulton
Northwest corner Divisadero & Fulton

Wood Poles
Southwest corner Baker & Hayes
In front of 2384 Post

In front of 2532 Post
In front of 1976 Bush
Southwest corner Pierce & Bush

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes
Southwest corner Steiner & Page
Northeast corner Buchanan & Linden
In front of 1140 Oak
Southwest corner Pierce & Haight
Northwest corner Haight & Ashbury
Northwest corner Divisadero & Oak
Northeast corner Post & Steiner
Southwest corner Post & Steiner
Southwest corner Scott & Post
Northwest corner Sutter & Webster
Northwest corner Laguna & Sutter
Northeast corner Bush & Pierce

Bus Shelters
Southwest corner Buchanan & Haight
Southeast corner Buchanan & Hayes
Southwest corner Fillmore & Hayes
Northeast corner Hayes & Fillmore
Southwest corner Haight & Pierce
Northwest corner Gough & Geary
Northwest corner Webster & Geary
Northeast corner Fillmore & Fell, near 500 Fillmore
Northwest corner Fillmore & McAllister
Southeast corner Webster & McAllister
Southeast corner Grove & Laguna
Fillmore & Haight (all 4 bus stops, graffiti & grime (canopies also have graffiti))

Fire Hydrant
1400 Geary

Emergency Boxes
Northwest corner Post & Scott
Northwest corner Fillmore & Sutter
Northwest corner Webster & Bush

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the newsstands at the following locations:

San Francisco Bay Guardian
Southeast corner of Fillmore & Post
Southwest corner of Divisadero & Sutter
9th Avenue & Judah (near bus stops)
7th Avenue & Irving (near bus stops)
Northwest corner of Hayes & Fillmore
Southeast corner of Fillmore & Haight

San Francisco Chronicle
Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore
Irving & 9th Avenue
Irving & 7th Avenue
Southwest corner of Haight & Clayton
Southeast corner of Haight & Masonic

Examiner
Northwest corner of Fillmore & Hayes
Southeast corner of Haight & Fillmore

SF Daily
Northwest corner of Hayes & Gough

City Star
Northwest corner of Hayes & Gough
Southeast corner of Fillmore & Haight

SF Weekly
Southeast corner of Masonic & Haight and Southeast corner of Haight & Fillmore

In Memoriams

Lawrence Joseph "Chuckie" Armstrong – Supervisor Cohen
Daniel Ryan – Supervisor Chu
Henry Lancelotti – Supervisor Elsbernd

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:06 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 5, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 3 0 2011

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PUBLIC LIBRARY

Tuesday, March 8, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Fewer, Maufas, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, Supervisor Kim was noted absent. There was a quorum.

Supervisor Kim was noted present at 2:13 p.m.

AGENDA CHANGES

President Chiu announced that File No. 110245 would be called out of order. There were no further changes.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of January 25, 2011, and February 1, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

101483 [Park Code - Kezar Parking Fees]

Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.08, to increase the parking fees at the Kezar Parking lot, and making environmental findings. (Recreation and Park Department)

Ordinance No. 41-11

FINALLY PASSED

Recommendations of the Public Safety Committee

101480 [Administrative Code - Reentry Council; Composition of Membership, Powers and Duties, and Sunset Date]
Sponsor: Mirkarimi
Ordinance amending the San Francisco Administrative Code Sections 5.1-1, 5.1-3, 5.1-4, and 5.1-6 to amend the membership, powers and duties, and sunset date of the Reentry Council.

Ordinance No. 44-11

FINALLY PASSED

110011 [Administrative Code - Composition - Justice Tracking Information System Committee Governance Council]
Sponsors: Mayor; Mirkarimi
Ordinance amending the San Francisco Administrative Code Section 2A.85 to add the City Administrator as a member of the Justice Tracking Information System (JUSTIS) Committee Governance Council and to designate the City Administrator as the Chair of the Council.

Ordinance No. 46-11

FINALLY PASSED

Recommendations of the Rules Committee

101585 [Settlement of Lawsuit - Kevin Montague - $60,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Kevin Montague against the City and County of San Francisco for $60,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 40-11

FINALLY PASSED

101586 [Settlement of Lawsuit - Vladimar Belfor/Victor Kanevsky - $34,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Vladimar Belfor and Victor Kanevsky against the City and County of San Francisco for $34,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 39-11

FINALLY PASSED

101587 [Settlement of Lawsuit - David Cheung, dba Kwok Shing Hong - $350,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by David Cheung, individually, and dba Kwok Shing Hong, against the City and County of San Francisco for $350,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 38-11

FINALLY PASSED

101588 [Settlement of Lawsuit - KLW, LLC - $210,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by KLW, LLC, against the City and County of San Francisco for $210,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 37-11

FINALLY PASSED

101589 [Settlement of Lawsuit - Sunday Bazaar/2170 Folson, LLC - $127,372]
Ordinance authorizing settlement of the portion of the lawsuit filed by Sunday Bazaar/2170 Folson, LLC, against the City and County of San Francisco for $127,372; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 36-11

FINALLY PASSED

101590 [Settlement of Lawsuit - Kroll Furniture - $65,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Kroll Furniture against the City and County of San Francisco for $65,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 35-11

FINALLY PASSED

101591 [Settlement of Lawsuit - Alphonso Oliphant/Bruce Woodard - $55,000]
Ordinance authorizing settlement of the claims made by Alphonso Oliphant and Bruce Woodard in a lawsuit filed against the City and County of San Francisco and William Siffermann for $55,000; the lawsuit was filed on November 5, 2008, in the United States District Court, Case No. CV08-5048 MMC; entitled Alphonso Oliphant, Roger Gainey and Bruce Woodard v. City and County of San Francisco, Juvenile Probation Department and William Siffermann. (City Attorney)

Ordinance No. 34-11

FINALLY PASSED

101600 [Settlement of Lawsuit - National Union - Receipt of $925,000]

Ordinance authorizing settlement of the lawsuit entitled City and County of San Francisco v. National Union, etc., et al., United States District Court, N.D. Cal., Case No: CV-103385-SI, arising from an insurance dispute involving policies issued by National Union Fire Insurance Company of Pittsburgh and sister company Chartis Specialty Insurance Company to the San Francisco Public Utilities Commission, calling for payment of $925,000 from National Union to the City and County of San Francisco and including other material terms of said settlement; and appropriating settlement proceeds. (City Attorney)

Ordinance No. 33-11

FINALLY PASSED

101608 [Settlement of Lawsuit - AboveNet Communications, Inc. - $183,479.00]

Ordinance authorizing settlement of the lawsuit filed by AboveNet Communications, Inc., formerly known as Metromedia Fiber Network Services, Inc., a Delaware corporation, against the City and County of San Francisco for $183,479.00; the lawsuit was filed on December 10, 2007, in Sacramento Superior Court, Case No. 34-2007-00882854; entitled Metromedia Fiber Network Services, Inc., a Delaware corporation, v. City and County of San Francisco, et al.; the complaint was amended on August 20, 2009, to correct the plaintiff's name to AboveNet Communications, Inc. (City Attorney)

Ordinance No. 32-11

FINALLY PASSED

110048 [Settlement of Lawsuit - Timothy J. Chamberlain - $65,000]

Ordinance authorizing settlement of a lawsuit filed by Timothy J. Chamberlain against the City and County of San Francisco, alleging slander of title and entitlement to declaratory relief; filed June 9, 2009, in San Francisco Superior Court, Case No. CGC-09-489245; entitled Chamberlain v. San Francisco Mayor's Office of Housing; City of San Francisco; and Does 1-100; other material terms of said settlement are set forth in the Settlement Agreement and Release of Claims contained in Board of Supervisors File No. 110048. (City Attorney)

Ordinance No. 31-11

FINALLY PASSED

110049 [Settlement of Lawsuit - Garcia, et al. - $191,000]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against Carolyn Marie Garcia, Successor Trustee of the Garcia Family Trust Dated October 11, 1994; Bank of America, N.A.; and Does 1 through 100; to condemn and take by right of eminent domain a permanent sub-surface soil nail easement of 492 sq ft. and a 51-month temporary construction easement (TCE) over portions of real property located in Sunol, California, APN 096-0080-004; filed May 24, 2010, in Alameda County Superior Court, Case No. RG-10516576; entitled City of San Francisco v. Stanley A. Garcia and Carolyn Marie Garcia, Trustees of the Garcia Family Trust Dated October 11, 1994; Bank of America, N.A.; and Does 1 through 100. (City Attorney)

Ordinance No. 30-11

FINALLY PASSED

110107 [Settlement of Lawsuit - Paul Graham - $34,271.51]

Ordinance authorizing settlement of the lawsuit filed by Paul Graham against the City and County of San Francisco for $34,271.51; the lawsuit was filed on March 12, 2009, in San Francisco Superior Court, Case No. CGC-09-486068; entitled Paul Graham, et al. v. City and County of San Francisco, et al. (City Attorney)

Ordinance No. 42-11

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the Consent Agenda

Supervisor Chiu requested that File No. 101120 be severed so that it may be considered separately.

101120 [Police Code - Discharge of Firearms; Fireworks]

Sponsor: Mayor

Ordinance amending the San Francisco Police Code by amending Sections 1290, 4502, and 4506 to consolidate the prohibitions on the discharge of firearms within the City and to re-state the exceptions to those prohibitions.

Supervisor Avalos, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED ON FINAL PASSAGE to March 15, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Land Use and Economic Development Committee Without Recommendation

110019 [Street Vacation Order - Transbay Transit Center]

Ordinance ordering the vacation of portions of the public right-of-way below and/or above Natoma Street, Minna Street, First Street, Fremont Street, Beale Street, Harrison Street, Folsom Street, Clementina Street, Tehama Street, Howard Street, Second Street, and Oscar Alley within the Transit Center Project area; quitclaiming the City's interest in the vacation areas to the Transbay Joint Powers Authority; accepting Department of Public Works Order No. 179,054; making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

Ordinance No. 43-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Public Safety Committee

101422 [Transportation Code, Police Code - Motor Vehicles for Hire and Enforcing Parking Laws]

Sponsor: Chiu

Ordinance amending the San Francisco Transportation Code Article 3, Division I, to allow certain Municipal Transportation Agency employees to enforce specified parking laws and order removal of vehicles, and amending the Transportation Code Article 7, Division I, to make it a misdemeanor to operate a taxi, a dispatch service, or a color scheme, or to drive a motor vehicle for hire, without a permit, to solicit or accept payment for referral of passengers to a motor vehicle for hire, to solicit or accept payment for motor vehicle for hire shifts, assignments or dispatch calls, to knowingly make false or misleading representations in connection with application for, renewal of, possible revocation of, or operation of a vehicle pursuant to a permit issued under Transportation Code Article 1100, to refuse to pay the legal fare to a driver of a motor vehicle for hire, and to charge excessive rates for transport in a motor vehicle for hire; and amending the San Francisco Police Code by deleting Sections 1078, 1089, 1105, 1110, 1132, 1135, and 1145.

Ordinance No. 45-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Rules Committee

110150 [Administrative Code - Process for Mayoral Appearance at the Board of Supervisors]

Sponsors: Chiu; Mar

Ordinance amending the San Francisco Administrative Code by adding Section 2.11 to establish a process for the Mayor to appear at the Board of Supervisors for a question and answer session.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

110068 [Administrative Code - Rewards to Informants for Information Related to the Detection of Underpayment of Property Tax]

Sponsor: Chiu

Ordinance amending the San Francisco Administrative Code by amending Chapter 10, Sections 10.177-2 and 10.177-3, authorizing the Assessor to recommend rewards for information related to the detection of underpayment of tax owed to the City and County of San Francisco.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110183 [Accept and Expend Grant - Broadband Technology Opportunities Program and Amendment to the Annual Salary Ordinance, FY2010-2011 - $7,931,632]
Sponsors: Mayor; Chiu and Campos

Ordinance authorizing the Department of Technology to accept and expend a grant in the amount of $7,931,632 from the U.S. Department of Commerce through the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5) Broadband Technology Opportunities Program for Sustainable Broadband Adoption Training and Services, and amending Ordinance No. 191-10 (Annual Salary Ordinance FY 2010-2011) to reflect the addition of two (2) grant-funded positions for the Department of Aging and Adult Services in Class 1823 Senior Administrative Analyst, and four (4) grant-funded positions for the Department of Technology as follows: one (1) position in Class 1823 Senior Administrative Analyst; one (1) position in Class 1844 Senior Management Assistant; one (1) position in Class 1766 Media Production Technician; and one (1) position in Class 1769 Media Production Supervisor.

Supervisor Campos requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the City Operations and Neighborhood Services Committee

110186 [Establishing a Comprehensive Recycling Program]
Sponsors: Mirkarimi; Avalos, Mar and Campos

Resolution requesting the Recreation and Parks Department and the Department of the Environment collaborate to establish a comprehensive Parks recycling program utilizing the expertise, volunteer base, and facilities of the HANC Recycling Center in Golden Gate Park, for the Department of the Environment, to establish an Independent Recycling Center Master Plan, and requesting the Recreation and Parks Department to rescind the eviction of the HANC Recycling Center from Golden Gate Park.
(Supervisor Elsbernd dissented in Committee.)

Supervisor Chiu, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED on Page 4, Line 15, by replacing 'rescind' with 'negotiate in good faith'. The motion carried by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Kim, Mar, Mirkarimi
Noes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener

Resolution No. 121-11

ADOPTED AS AMENDED by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Kim, Mar, Mirkarimi
Noes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener

Recommendations of the Land Use and Economic Development Committee

110009 [Planning Code - Amending Area Plan Fee Waiver Criteria for Affordable Housing]
Sponsor: Cohen

Ordinance amending the San Francisco Planning Code by amending Section 406 to revise the criteria for waiver of Area Plan fees, including the Rincon Hill Community Infrastructure Impact Fee, the Market and Octavia Community Improvements Impact Fee, the Eastern Neighborhoods Infrastructure Impact Fee, the Balboa Park Impact Fee, and the Visitacion Valley Community Facilities and Infrastructure Impact Fee, for affordable housing projects; and making findings, including environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110115 [Summary Vacation, Jurisdictional Transfer, and Sale of City Property - Ocean Avenue and Phelan Avenue]
Sponsors: Elsbernd; Avalos

Ordinance: 1) ordering the summary vacation of an approximately 17,050 square foot portion of City property located near Ocean Avenue and Phelan Avenue pursuant to the California Streets and Highways Code Sections 8330 et seq.; 2) authorizing the jurisdictional transfer of such portion of City property from the Department of Public Works to the Municipal Transportation Agency; 3) authorizing the sale of an approximately 25,772 square foot portion of City property located near Ocean Avenue and Phelan Avenue to the San Francisco Redevelopment Agency for $4,056,580 and the grant of a pedestrian access easement and an emergency fire apparatus access easement over a portion of adjacent City property; 4) adopting environmental findings and other findings that the actions set forth in this Ordinance are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; 5) adopting findings that Administrative Code Chapter 23A does not apply to the sale of such portion of City property; and 6) authorizing other actions in furtherance of this Ordinance.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Farrell, seconded by Supervisor Campos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Farrell introduced, welcomed, and presented Certificates of Honor to Donna Huggins, Jan Berckefeldt, and Hans Baldauf in recognition of their dedication and efforts to restore and renovate the Palace of Fine Arts.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Eugene Ford; expressed various concerns.
Walter Paulson; shared in song certain concerns with the Board.
John DiDonna; shared in poem certain concerns with the Board.
Charles Rathbont; expressed concerns relating to peak-hour taxi permits.
Lee Housekeeper; expressed concerns relating to peak-hour taxi permits.
Eric Brookes; expressed concerns relating to Recreation and Park.
Herbert Weiner; expressed concerns relating to government.
Jon Han; expressed concerns relating to peak-hour taxi permits.
Majeid Crawford; expressed concerns relating to housing rights.
Sayid; expressed concerns relating to religious and racial profiling.
Male Speaker; expressed various religious concerns.
Molly Steiner; spoke in support of opposing proposed elimination of adult day healthcare.
Jennie Shear; spoke in support of opposing proposed elimination of adult day healthcare.
Annie; spoke in support of opposing proposed elimination of adult day healthcare.
Benny Wong; spoke in support of opposing proposed elimination of adult day healthcare.
Laney Eastman; spoke in support of opposing proposed elimination of adult day healthcare.
Male Speaker; expressed concerns relating to religious and racial profiling.
Otto Duffy; expressed various concerns.

COMMITTEE REPORTS

Recommendation of the Rules Committee

110211 [Appointments, Citizen's Committee on Community Development - Utuma Belfrey, Peter Cohen, and Charlie Sciammas]

Motion appointing Utuma Belfrey, Peter Cohen, terms ending February 23, 2013, and Nicole Rivera, term ending February 23, 2012, to the Citizen's Committee on Community Development. (Clerk of the Board)

Utuma Belfrey, seat 1, succeeding Charlie Sciammas, term expired, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City, for the unexpired portion of a two-year term ending date February 23, 2013.

Peter Cohen, seat 2, succeeding Rene Cazenave, term expired, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City, for the unexpired portion of a two-year term ending date February 23, 2013.

Nicole Rivera, seat 4, succeeding Gaylen Mohre, resigned, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City, for the expired portion of a two-year term ending February 23, 2012.

Supervisor Avalos, seconded by Supervisor Mar, moved that this Motion be AMENDED on Page 1, Line 4, by replacing 'Nicole Rivera' with 'Charlie Sciammas'; and on Line 17, by replacing 'Nicole Rivera' with 'Charlie Sciammas'. The motion carried by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Kim, Mar, Mirkarimi

Noes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener

Motion appointing Utuma Belfrey, Peter Cohen, terms ending February 23, 2013, and Charlie Sciammas, term ending February 23, 2012, to the Citizen's Committee on Community Development. (Clerk of the Board)

Utuma Belfrey, seat 1, succeeding Charlie Sciammas, term expired, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City, for the unexpired portion of a two-year term ending date February 23, 2013.

Peter Cohen, seat 2, succeeding Rene Cazenave, term expired, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City, for the unexpired portion of a two-year term ending date February 23, 2013.

Charlie Sciammas, seat 4, succeeding Gaylen Mohre, resigned, should reflect and advance the concerns and needs of low-income neighborhoods and/or communities in the City, for the expired portion of a two-year term ending February 23, 2012.

Motion No. M11-33

APPROVED AS AMENDED by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Kim, Mar, Mirkarimi

Noes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener

CLOSED SESSION

110245 [Closed Session - Pension, Health Care, and Retiree Health Care Reform]
Sponsor: Elsbernd

Motion for the Board of Supervisors to convene in closed session to consult with the City's Labor Relations Negotiators: Mayor Edwin M. Lee, Steve Kawa, Mayor's Chief of Staff, Micki Callahan, Director, Department of Human Resources, and Martin Gran, Director, Employee Relations Division, for the purpose of reviewing the City's positions and the Mayor's instructions to the Negotiators relating to: (a) pension, health care, and retiree health care reform proposals, and the meet and confer process regarding wages, hours, benefits, and working conditions currently underway between the City and City employee bargaining units to address the costs associated with providing these benefits; and (b) pending labor negotiations with organizations representing employees in the two MOUs expiring June 30, 2011 (e.g., District Attorney Investigators Association and Committee on Interns and Residents), as well as the Unrepresented Ordinance.

This closed session is held pursuant to Government Code Section 54957.6, and San Francisco Administrative Code Section 67.10(e).

(Employee Organizations: Automotive Machinists, Local 1414; Committee on Interns and Residents; Crafts Coalition; District Attorney Investigators Association; Deputy Probation Officers' Assoc.; District Attorneys' Investigators Assoc.; Deputy Sheriffs Association; Electricians, Local 6; Fire Fighters, Local 798; International Federation of Professional and Technical Engineers, Local 21; Institutional Probation Officers' Assoc.; Laborers, Local 261; Local 1414; Local 21; Municipal Attorneys' Association; Municipal Executives' Association; Operating Engineers Local 3; Plumbers, Local 38; Police Officers' Association; Service Employees International Union, Local 1021; Stationary Engineers, Local 39; Supervising Probation Officers' Assoc.; Supervising Registered Nurses; Teamsters Local 350; Teamsters Local 856; Union of American Physician and Dentists.) These organizations represent police officers, firefighters, airport police, transit workers, nurses, miscellaneous employees, and other City employees.

Motion No. M11-32

Supervisor Mirkarimi, seconded by Supervisor Farrell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener
Absent: 1 - Kim

The President inquired as to whether any member of the public wished to address the Board regarding convening in closed session. There were no speakers. The President declared public comment closed.

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 2:08 p.m. to convene in closed session pursuant to the above motion.

The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener

Supervisor Kim was noted present at 2:13 p.m.

Persons in attendance:
Mayor Edwin M. Lee
Steve Kawa, Mayor's Chief of Staff
Greg Wagner, Mayor's Budget Director
Greg Wilson, Mayor's Budget Office
Cheryl Adams, Deputy City Attorney
Micki Callahan, Director of Department of Human Resources
Martin Gran, Director of Employee Relations
Ben Rosenfield, Controller
Monique Zmuda, Deputy Controller
Leo Levinson, Budget and Analysis Director, Controller's Office
Angela Calvillo, Clerk of the Board
Rick Caldeira, Legislative Deputy Director

Mayor Edwin M. Lee and Steve Kawa, Mayor's Chief of Staff, left the Board Chamber at 3:07 p.m.

Matter was heard in Closed Session and Filed.

RECONVENING OF THE BOARD

The Board at the hour of 3:34 p.m. reconvened.

The following Supervisors were noted present: Supervisors Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Mirkarimi, seconded by Supervisor Mar, moved to NOT DISCLOSE its Closed Session deliberations. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

110248 **[Celebrating Governor Brown's Appointment of Julie Su, California Labor Commission]**
Sponsors: Campos; Mar and Chiu
Resolution commending Governor Brown for appointing Julie Su as Chief of the California Division of Labor Standards Enforcement, also known as the California Labor Commissioner, and encouraging San Francisco's Office of Labor Standards Enforcement to collaborate with Commissioner Su to protect the labor and employment rights of low-wage workers in San Francisco.

Supervisor Chiu requested to be added as a co-sponsor.

Resolution No. 124-11

ADOPTED

110249 **[Accept and Expend Grant - PSI/Myanmar Collaborative Impact Study Planning - $25,578]**
Sponsor: Campos
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant from the Regents of the University of California in the amount of $25,578 to participate in a program entitled "PSI/Myanmar Collaborative Impact Study Planning" for the period of July 1, 2010, through June 30, 2011.

Resolution No. 120-11

ADOPTED

110250 **[Supporting Governor Brown's Proposal to Eliminate the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities]**
Sponsors: Campos; Kim, Mar and Avalos
Resolution supporting Governor Brown's proposal to eliminate the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities, and affirming San Francisco's moratorium against sending youth to State run detention facilities for youth.

Resolution No. 125-11

ADOPTED

110251 **[Accept and Expend Grant - Program Collaboration and Service Integration - $72,962]**
Sponsor: Campos
Resolution authorizing the Department of Public Health to retroactively accept and expend a grant from the Public Health Foundation Enterprises, Inc., in the amount of $72,962 to participate in a program entitled "Addressing Syndemics through Program Collaboration and Service Integration" for the period of September 30, 2010, through September 29, 2011.

Resolution No. 118-11

ADOPTED

110252 [Accept and Expend Grant - Implementing New Directions in HIV Prevention in San Francisco - $26,634]
Sponsors: Chu; Campos
Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant from the Public Health Foundation Enterprises, Inc., in the amount of $26,634 to participate in a program entitled "Implementing New Directions in HIV Prevention in San Francisco: A Comprehensive" for the period of September 30, 2010, through September 29, 2011.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 119-11

ADOPTED

110253 [Accept and Expend Grant - WritersCorp - $10,000]
Sponsor: Cohen
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant from the Friends of the San Francisco Library in the amount of $10,000 a federal pass-through grant from the President's Committee on the Arts and Humanities' National Arts and Humanities Youth Program Award (formerly Coming Up Taller) for general operating support for WritersCorp.

Resolution No. 117-11

ADOPTED

110254 [Supporting Mental Health Crisis Intervention Team]
Sponsors: Mirkarimi; Campos
Resolution commending the San Francisco Police Commission for implementing Mental Health Crisis Intervention Team (CIT) based on the "Memphis Model" urging stakeholder City departments and community based organizations to collaborate to provide adequate mental health services in order to facilitate the mission of the CIT and to ensure the CIT has the tools and resources necessary to achieve similar results to that of the Memphis Model.

Supervisor Campos requested to be added as a co-sponsor.

Resolution No. 123-11

ADOPTED

110257 [Support of Peak-Hour Taxi Permits]
Sponsors: Wiener; Chiu
Resolution in support of peak-hour taxi permits, and world-class taxi service in San Francisco.

Supervisor Chiu requested to be added as a co-sponsor.

Resolution No. 122-11

ADOPTED

110258 [Gift Acceptance - ArtCare Program - $10,000]
Sponsor: Chiu
Resolution authorizing the Arts Commission to accept and expend a donation from the Arnhold Foundation in the amount of $10,000 for general operating support of the ArtCare Program.

Resolution No. 116-11

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisors Elsbernd and Mirkarimi requested that File No. 110255 be severed so that it may be considered separately.

110255 [Endorsing Community Concerns of Surveillance, Racial, and Religious Profiling]
Sponsors: Mirkarimi; Mar, Avalos, Campos and Chiu
Resolution endorsing "Community Concerns of Surveillance, Racial, and Religious Profiling of Arab, Middle Eastern, Muslim, and South Asian Communities (AMEMSA) and Potential Reactivation of Police Department's Intelligence Gathering," a report published by the San Francisco Human Rights Commission.

Supervisors Mar, Avalos, and Campos requested to be added as co-sponsors.

REFERRED to the Public Safety Committee

Supervisors Kim and Elsbernd requested that File No. 110256 be severed so that it may be considered separately.

110256 [Opposing Elimination of Adult Day Health Center Programs]
Sponsors: Kim; Avalos, Mar, Campos, Mirkarimi and Chiu
Resolution opposing the proposed elimination of Medi-Cal funding for Adult Day Health Center programs in the State of California.
(Supervisor Chu dissented in committee.)

Supervisors Mar and Campos requested to be added as co-sponsors.

REFERRED to the Budget and Finance Committee

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110266 [Arbor Day - March 12, 2011]
Sponsor: Mar
Resolution declaring March 12, 2011, as Arbor Day.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 110266. There were no speakers. The President declared public comment closed.

Resolution No. 115-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or Mayor

Ordinances

110277 [Planning Code - Historic Signs]
Sponsor: Campos
Ordinance amending the San Francisco Planning Code by amending Section 608.14 regarding the authorization of historic signs; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and Planning Code Section 101.1.

03/08/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/7/2011.

110278 [Municipal Elections Code - Emergency Ordinance Extending Municipal Elections Code Deadlines for Possible June 2011 Election]
Sponsor: Chiu
Emergency Ordinance authorizing the Director of Elections to extend deadlines in the San Francisco Municipal Elections Code by no more than 15 days for a possible special municipal election to be held in June 2011.

03/08/11; ASSIGNED to Board of Supervisors.

110279 [Planning Code - Zoning - Prohibiting Formula Retail Pet Supply Stores in the Geary Boulevard Fast Food Subdistrict]
Sponsor: Mar
Ordinance amending the San Francisco Planning Code by amending Section 781.4 to: 1) prohibit formula retail pet supply stores, as defined, in the Geary Boulevard Fast-Food Subdistrict; 2) amending the name of the Subdistrict to reflect this new prohibited use; and 3) adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

03/08/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/7/2011.

110280 [Public Works Code, Police Code - Posting of Signs on City Property, Increasing Penalty, and Enforcement]

Sponsors: Mirkarimi; Wiener

Ordinance amending the San Francisco Public Works Code by amending Sections 184.62, 184.63, and 184.65 thereof, to: 1) increase the minimum criminal penalty for violations of Article 5.6 of the Public Works Code from $50 to $100; 2) amend the procedures for administrative enforcement of Article 5.6 of the Public Works Code and specify the amounts of administrative penalties; 3) provide that in any civil action or administrative proceeding to enforce Article 5.6 the City shall have the burden of proof; 4) provide that where an unlawfully posted sign proposes a commercial transaction, the fact that the sign identifies a person or entity may give rise to an inference that person or entity posted or caused the posting of the sign; and 5) amending the Police Code by amending Section 39-1 thereof, to provide that that Section shall not apply to administrative citations issued under Public Works Code Section 184.63.

03/08/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/7/2011.

110281 [Public Works Code, Administrative Code, and Health Code - Consolidate Existing Department of Public Works' Nuisance Enforcement, Abatement, and Cost Collection Processes]

Sponsors: Mirkarimi; Wiener

Ordinance amending portions of the San Francisco Public Works Code, Administrative Code, and Health Code to: 1) consolidate and streamline Department of Public Works' enforcement, abatement, and cost collection processes for public nuisances, including amendments to Administrative Code Chapter 80, Sections 80.3 and 80.8, Public Works Code Sections 170, 174.1, 707.1, 727, 735, and Health Code Article 6, Section 291.2; 2) repealing Public Works Code Sections 174.2 through 174.13, 728 through 734, and 735.1 through 735.4; 3) renumbering Public Works Code Section 707.1 as 706.9; and 4) to make environmental and other required findings.

03/08/11; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 4/7/2011.

110282 [Administrative Code - Large Tourist Hotel Conversion]

Sponsor: Mayor

Ordinance amending the San Francisco Administrative Code Chapter 41F, Section 41F.3, to extend the deadline for Planning Commission approval of applications for conversion of large tourist hotels to condominium projects, subject to completion of project-specific milestones by November 1, 2010, and making required findings.

03/08/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/7/2011.

110114 [Environment Code - Yellow Pages Distribution Pilot Program]
Sponsors: Chiu; Mar, Mirkarimi, Wiener and Cohen
Ordinance adding Chapter 20 to the Environment Code to establish a three-year pilot program to reduce waste in the distribution of Yellow Pages phone directories to private residences and businesses in San Francisco, and to reduce neighborhood blight, by restricting distribution to circumstances where: 1) there is personal delivery of the directory to a human being, 2) there has been a request for delivery of the directory to the residence or business, or 3) directories are maintained for pick-up at a distribution center or business open to the public; mandating a public outreach program to educate the public about the environmental harms associated with excessive distribution of Yellow Pages phone directories, develop and publicize alternatives to private possession of such directories, and inform the public of the option and means of obtaining such directories; and making environmental findings.

02/01/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/3/2011.

02/07/11; REFERRED TO DEPARTMENT.

02/10/11; RESPONSE RECEIVED.

02/28/11; RESPONSE RECEIVED.

03/08/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

110255 [Endorsing Community Concerns of Surveillance, Racial, and Religious Profiling]
Sponsors: Mirkarimi; Mar, Avalos, Campos and Chiu
Resolution endorsing "Community Concerns of Surveillance, Racial, and Religious Profiling of Arab, Middle Eastern, Muslim, and South Asian Communities (AMEMSA) and Potential Reactivation of Police Department's Intelligence Gathering," a report published by the San Francisco Human Rights Commission.

03/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

03/08/11; REFERRED to Public Safety Committee.

110256 [Opposing Elimination of Adult Day Health Center Programs]
Sponsors: Kim; Avalos, Mar, Campos, Mirkarimi and Chiu
Resolution opposing the proposed elimination of Medi-Cal funding for Adult Day Health Center programs in the State of California.
(Supervisor Chu dissented in committee.)

03/01/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

03/08/11; REFERRED to Budget and Finance Committee.

110283 [Urging Avalon Bay Communities to Utilize Sub-Contractors that Compensate Workers Consistent with Area Standard Wages]
Sponsor: Avalos
Resolution encouraging Avalon Bay Communities to sub-contract all carpentry crafts to a responsible contractor that pays area standard wages and benefits and has a State of California certified apprenticeship program and journeyman upgrade training.

03/08/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110284 [Ten Year Capital Expenditure Plan - FYs 2012-2021]
Sponsors: Mayor; Chiu
Resolution adopting the City's ten year capital expenditure plan for FYs 2012-2021.
(Fiscal Impact.)

03/08/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110285 [Declaring the City's Intention to Appropriate Available Rainy Day Reserve Funds to the San Francisco Unified School District - 2011-2012 School Year]
Sponsors: Mayor; Chiu, Kim, Cohen, Mar, Avalos, Wiener, Campos and Mirkarimi
Resolution declaring the City's intention to appropriate available Rainy Day Reserve funds to the San Francisco Unified School District to help the District cope with the loss of State funding for the 2011-2012 school year.
(Fiscal Impact.)

03/08/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110286 [Accept and Expend Grant - San Francisco Bridge to Success Program - $3,000,000]
Sponsors: Mayor; Mar
Resolution authorizing the Department of Children, Youth and Families to retroactively accept and expend grant funding in the amount of $3,000,000 from the Bill and Melinda Gates Foundation to fund the San Francisco Bridge to Success Program, a partnership between the City and County of San Francisco, City College of San Francisco, and the San Francisco Unified School District, to double the number of low income youth who earn post-secondary credentials by age 26 for the period of August 13, 2010, through August 31, 2013.

03/08/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110287 [Equipment Lease - 2011 Finance Corporation Equipment Program - Revenue Bonds - Not to Exceed $16,500,000]
Sponsor: Mayor
Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an Equipment Lease Supplement No. 17 (Series 2011A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to certain equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $16,500,000; approving the form of the official statement and the distribution thereof in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.
(Fiscal Impact.)

03/08/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110288 **[Tax Increment Allocation Pledge Agreement - Treasure Island/Yerba Buena Island]**
Sponsor: Mayor
Resolution approving a Tax Increment Allocation Pledge Agreement (Treasure Island/Yerba Buena Island) between the City and County of San Francisco and the Treasure Island Development Authority for the authorization and approval of the pledge of net available tax increment to finance qualified project costs (including public improvements and affordable housing) in furtherance of the Redevelopment Plan for Treasure Island/Yerba Buena Island; adopting findings under the California Environmental Quality Act; and adopting findings that the agreement is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.
(Fiscal Impact, Economic Impact.)

03/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110289 **[Homeless Development Initiative Agreement - Treasure Island/Yerba Buena Island]**
Sponsor: Mayor
Resolution approving the amended and restated Base Closure Homeless Assistance Agreement with the Treasure Island Homeless Development Initiative.

03/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110290 **[Economic Development Conveyance Memorandum of Agreement - Treasure Island/Yerba Buena Island]**
Sponsor: Mayor
Resolution approving the Economic Development Conveyance Memorandum of Agreement for the transfer of former Naval Station Treasure Island from the United States Government to the Treasure Island Development Authority; adopting findings under the California Environmental Quality Act.
(Fiscal Impact, Economic Impact.)

03/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110291 **[Disposition and Development Agreement and Interagency Cooperation Agreement - Treasure Island/Yerba Buena Island]**
Sponsor: Mayor
Resolution approving a Disposition and Development Agreement between the Treasure Island Development Authority and Treasure Island Community Development, LLC, for certain real property located within the Treasure Island/Yerba Buena Island Project Area; approving an Interagency Cooperation Agreement between the City and the Treasure Island Development Authority; adopting findings under the California Environmental Quality Act; and adopting findings that the agreements are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.

03/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110292 **[Accept and Expend Grant - Federal Emergency Operations Center - $800,000]**
Sponsor: Farrell
Resolution authorizing the Department of Emergency Management to accept and expend grant funds in the amount of $800,000 from the California Emergency Management Agency for improvements to the City's Emergency Operations Center.

03/08/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110293 [Monsignor Oscar Romero Day - March 26, 2011]
Sponsors: Campos; Elsbernd, Mar and Avalos
Resolution declaring March 26, 2011, as Monsignor Oscar Romero Day in San Francisco, to honor a person who dedicated themselves to, and ultimately gave their life for, social justice and human rights protection, and preached the message of peace, non-violence, reconciliation, and love.
03/08/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110295 [Extension of 45 Days for Planning Commission Review - Market and Octavia Plan Area]
Sponsor: Wiener
Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Section 415.5 to provide a new land dedication alternative in the Market and Octavia Plan Area, in lieu of payment of the affordable housing fee, and adding Section 415.10 to provide for the requirements of such land dedication, and making findings, including environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.
03/08/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

110212 [Committee of the Whole - Hearing to Consider and Approve an Emergency Ordinance Extending Municipal Elections Code Deadlines for Possible June 2011 Election]
Sponsor: Chiu
Motion that the Board of Supervisors convene as a Committee of the Whole on March 15, 2011, at 3:00 p.m., to consider an emergency ordinance authorizing the Director of Elections to extend deadlines in the Municipal Elections Code by no more than 15 days for a possible special municipal election to be held in June 2011. (Clerk of the Board)

Request for Hearing

110213 [Hearing - Emergency Ordinance Extending Municipal Elections Code Deadlines for Possible June 2011 Election]
Sponsor: Chiu
Hearing of persons interested in or objecting to the proposed Emergency Ordinance authorizing the Director of Elections to extend deadlines in the San Francisco Municipal Elections Code by no more than 15 days for a possible special municipal election to be held in June 2011.
03/08/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

110246 [Hearing - Police Department Chief Selection Process]
Sponsor: Mirkarimi
Hearing on the update of the selection process for the San Francisco Police Department Chief.
03/08/11; RECEIVED AND ASSIGNED to Public Safety Committee.

110296 [Hearing - Treasure Island/Yerba Buena Island Redevelopment Project]
Sponsor: Mayor
Informational hearing on the Treasure Island/Yerba Buena Island Redevelopment Project.
03/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110297 [Hearing - City Services Auditor's Audit - Laguna Honda Gift Fund]
Sponsor: Campos
Hearing on City Services Auditor's Audit on the Laguna Honda Gift Fund.
03/08/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110298 [Hearing - Parkmerced Project]
Sponsor: Elsbernd
Informational hearing on the Parkmerced Project.
03/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110299 [Hearing - Community Action Plan for Seismic Safety]
Sponsor: Mar
Hearing on the Community Action Plan for Seismic Safety and the December 2010 reports and recommendation.
(Economic Impact.)
03/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Introduced by the President at the Request of a Department

PROPOSED RESOLUTIONS

110120 [2011 Annual Joint Fundraising Drive]
Resolution designating those agencies qualified to participate in the 2011 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.
02/17/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110201 [Agreement - Use of Fast Pass on BART]
Resolution approving the Special Transit Fare (Fast Pass) Agreement between the City and the Bay Area Rapid Transit District, with a term from January 1, 2010, to June 30, 2018. (Municipal Transportation Agency)
(Fiscal Impact.)
02/28/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

1401 Ellis
200 Fillmore
2062 Ellis
295 Buchanan
371 Waller
440 Ivy Lane
542 Linden
577 Linden
595 Waller
Approx. 478 Linden
Approx. 485 Ivy Lane
Opposite 128 Laguna
Opposite 1440 Webster
Opposite 218 Haight
Opposite 553 Linden
Southwest corner of Haight and Laguna

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Box
Northeast corner of Scott and O'Farrell

Fire Hydrant
Northwest corner of Scott of Inca Lane and O'Farrell

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

Garbage Cans
45 Galilee Lane
Southwest corner of Scott and O'Farrell
Southwest corner of Beiderman and O'Farrell
Southeast corner of Hollis and O'Farrell

Mailbox
Southeast corner of Webster and O'Farrell

Parking Lot
2107 O'Farrell

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles:
1355 Ellis
1729 Ellis
1759 Ellis
1804 Ellis
1823 Ellis
1901 O'Farrell
1921 Ellis
1939 Ellis
1950 Ellis
1979 O'Farrell
201 Buchanan
2179 O'Farrell
269 Waller
419 Ivy Lane
430 Webster
49 Biederman
520 Waller
Approx. 1 Quickstep Lane
Approx. 10 Biederman
Approx. 1395 Ellis
Approx. 1900 O'Farrell
Approx. 1935 O'Farrell
Approx. 50 Beiderman
Approx. 90 Hollis
Approx. 95 Hollis
Northeast corner of Broderick and Ellis
Northwest corner of Inca Lane and Ellis
Northwest corner of Scott and Ellis
Opposite 1729 Ellis
Opposite 1862 Ellis
Opposite 1916 Ellis
Opposite 424 Ivy Lane

Wood Pole
417 Ivy Lane

Concrete Poles
Southwest corner of Cleary and Laguna
2049 O'Farrell

Parking and Traffic Signs
Opposite 128 Laguna
Northwest corner of Waller and Laguna
45 Galilee Lane
Northeast corner of Broderick and Ellis
Approx. 1301 Ellis

Traffic Barrier
Westside of intersection of Ellis and Inca Lane

Sidewalk Dumping
Opposite 218 Haight
Opposite 2029 Ellis
Approx. 625 Linden
Approx. 665 Linden

In Memoriams

Tomas Bermejo – Supervisor Mar
Clint Mitchell – Supervisor Wiener
Hyacinth Smith – Supervisor Chu

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:23 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 12, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 3 0 2011

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, March 15, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Fewer, Maufas, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: John Avalos, David Chiu, Carmen Chu, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, Supervisors Campos, Cohen, and Mirkarimi were noted absent. There was a quorum.

Supervisors Campos, Cohen, and Mirkarimi Excused from Voting

Supervisor Avalos, seconded by Supervisor Farrell, moved that Supervisors Campos, Cohen, and Mirkarimi be excused from voting. The motion carried by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Kim, seconded by Supervisor Avalos, moved to approve the Board Meeting Minutes of February 8, 2011. The motion carried by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

110068 [Administrative Code - Rewards to Informants for Information Related to the Detection of Underpayment of Property Tax]
Sponsor: Chiu
Ordinance amending the San Francisco Administrative Code by amending Chapter 10, Sections 10.177-2 and 10.177-3, authorizing the Assessor to recommend rewards for information related to the detection of underpayment of tax owed to the City and County of San Francisco.

Ordinance No. 48-11

FINALLY PASSED

110183 [Accept and Expend Grant - Broadband Technology Opportunities Program and Amendment to the Annual Salary Ordinance, FY2010-2011 - $7,931,632]
Sponsors: Mayor; Chiu and Campos
Ordinance authorizing the Department of Technology to accept and expend a grant in the amount of $7,931,632 from the U.S. Department of Commerce through the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5) Broadband Technology Opportunities Program for Sustainable Broadband Adoption Training and Services, and amending Ordinance No. 191-10 (Annual Salary Ordinance FY 2010-2011) to reflect the addition of two (2) grant-funded positions for the Department of Aging and Adult Services in Class 1823 Senior Administrative Analyst, and four (4) grant-funded positions for the Department of Technology as follows: one (1) position in Class 1823 Senior Administrative Analyst; one (1) position in Class 1844 Senior Management Assistant; one (1) position in Class 1766 Media Production Technician; and one (1) position in Class 1769 Media Production Supervisor.

Ordinance No. 52-11

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

110009 [Planning Code - Amending Area Plan Fee Waiver Criteria for Affordable Housing]
Sponsor: Cohen
Ordinance amending the San Francisco Planning Code by amending Section 406 to revise the criteria for waiver of Area Plan fees, including the Rincon Hill Community Infrastructure Impact Fee, the Market and Octavia Community Improvements Impact Fee, the Eastern Neighborhoods Infrastructure Impact Fee, the Balboa Park Impact Fee, and the Visitacion Valley Community Facilities and Infrastructure Impact Fee, for affordable housing projects; and making findings, including environmental findings.

Ordinance No. 47-11

FINALLY PASSED

Recommendation of the Public Safety Committee

101120 [Police Code - Discharge of Firearms; Fireworks]
Sponsor: Mayor
Ordinance amending the San Francisco Police Code by amending Sections 1290, 4502, and 4506 to consolidate the prohibitions on the discharge of firearms within the City and to re-state the exceptions to those prohibitions.

Ordinance No. 50-11

FINALLY PASSED

Recommendations of the Rules Committee

110105 [Appointments, Sunshine Ordinance Task Force - Jay Costa and Jackson West]
Motion appointing Jay Costa, term ending April 27, 2012, and Jackson West, term ending April 27, 2013, to the Sunshine Ordinance Task Force. (Clerk of the Board)
Jay Costa, seat 7, succeeding Nicholas Goldman, resigned, must be experienced in consumer advocacy, for the unexpired portion of a two-year term ending April 27, 2012.
Jackson West, seat 11, succeeding Marjorie Ann Williams, resigned, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a term ending April 27, 2013.

Motion No. M11-34

APPROVED

110145 [Appointments, Citizens' General Obligation Bond Oversight Committee - Robert Muscat and Jonathan Alloy]
Motion appointing Robert Muscat and Jonathan Alloy, to the Citizens' General Obligation Bond Oversight Committee, terms ending November 21, 2012. (Clerk of the Board)
Robert Muscat, seat 2, succeeding himself, term expired, must be active in a labor organization, for the unexpired portion of a two-year term ending November 21, 2012.
Jonathan Alloy, seat 3, succeeding Kristin Chu, resigned, must be active in a community organization, for the unexpired portion of a two-year term ending November 21, 2012.

Motion No. M11-35

APPROVED

110146 [Settlement of Lawsuit - Liberato Primer, Jr. - $125,000]
Ordinance authorizing settlement of the lawsuit filed by Liberato Primer, Jr., against the City and County of San Francisco for $125,000; the lawsuit was filed on October 5, 2009, in the San Francisco Superior Court, Case No. CGC 09-493199, entitled Liberato Primer, Jr. v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

110173 [Settlement of Lawsuit - Esther Downes, et al. - $350,000]
Ordinance authorizing entry of judgment, pursuant to Federal Rule of Civil Procedure 68, in favor of Plaintiffs Esther Downes and the Estate of Issiah Downes, and against the City and County of San Francisco, in the amount of $350,000 in settlement of the lawsuit filed on October 1, 2010, in United States District Court, Case No. C10-4451 CW entitled "Esther Downes, et al. v. City and County of San Francisco, et al." (City Attorney)

PASSED, ON FIRST READING

110174 [Settlement of Claim - Homeless Prenatal Program, Inc. - $135,246.65]
Resolution approving the settlement of the unlitigated claim filed by Homeless Prenatal Program, Inc., against the City and County of San Francisco for $135,246.65; claim was filed on September 23, 2010. (City Attorney)

Resolution No. 129-11

ADOPTED

101471 [Appointment, Sweatfree Procurement Advisory Group - Eleanor Morton]
Motion appointing Eleanor Morton, to the Sweatfree Procurement Advisory Group, term ending December 17, 2011. (Clerk of the Board)
Eleanor Morton, seat 3, succeeding Sarah Leiber Church, resigned, must have significant experience as an advocate for human rights or the poor, for the unexpired portion of a four-year term ending December 17, 2011.

Motion No. M11-36

APPROVED

110218 [Appointments, Urban Forestry Council - Maria D'Agostino, Dan Flanagan, Sandy Sherwin, Rose Hillson, and Andrew Sullivan]
Motion appointing Maria D'Agostino, Dan Flanagan, Sandy Sherwin, Rose Hillson, and Andrew Sullivan to the Urban Forestry Council, terms ending November 18, 2012. (Clerk of the Board)
Maria D'Agostino, seat 2, succeeding Maria D'Agostino, term expired, must be certified by a professional tree management organization (International Society of Arboriculture, American Society of Consulting Arborists, or American Society of Landscape Architects,) for the unexpired portion of a two-year term ending November 18, 2012.
Dan Flanagan, seat 4, succeeding Naomi LeBeau, resigned, must be a member of a non-profit organization involved in urban forestry or other environmentally-related issues, for the unexpired portion of a two-year term ending November 18, 2012.
Sandy Sherwin, seat 5, succeeding Bonnie Ora Sherk, term expired, must be a member of a non-profit organization involved in urban forestry or other environmentally-related issues, for the unexpired portion of a two-year term ending November 18, 2012.
Rose Hillson, seat 6, succeeding herself, term expired, must be a representative of the community, for the unexpired portion of a two-year term ending November 18, 2012.
Andrew Sullivan, seat 7, succeeding Terry Milne, term expired, must be a representative of the community, for the unexpired portion of a two-year term ending November 18, 2012.

Motion No. M11-37

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

Severed from the Consent Agenda

Supervisor Elsbernd requested that File No. 110115 be severed so that it may be considered separately.

110115 [Summary Vacation, Jurisdictional Transfer, and Sale of City Property - Ocean Avenue and Phelan Avenue]

Sponsors: Elsbernd; Avalos

Ordinance: 1) ordering the summary vacation of an approximately 17,050 square foot portion of City property located near Ocean Avenue and Phelan Avenue pursuant to the California Streets and Highways Code Sections 8330 et seq.; 2) authorizing the jurisdictional transfer of such portion of City property from the Department of Public Works to the Municipal Transportation Agency; 3) authorizing the sale of an approximately 25,772 square foot portion of City property located near Ocean Avenue and Phelan Avenue to the San Francisco Redevelopment Agency for $4,056,580 and the grant of a pedestrian access easement and an emergency fire apparatus access easement over a portion of adjacent City property; 4) adopting environmental findings and other findings that the actions set forth in this Ordinance are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; 5) adopting findings that Administrative Code Chapter 23A does not apply to the sale of such portion of City property; and 6) authorizing other actions in furtherance of this Ordinance.

Supervisor Elsbernd indicated amendments to the Purchase and Sale Agreement between the City and the Redevelopment Agency to include a Use Restriction that requires that the mixed use project have 70 residential rental units available for tenants with initial household incomes at or below 60% of area median income and that the property revert to the City if the Agency ceases to exist as provided by the Mayor's Office of Economic and Workforce Development, included in File No. 110115.

Ordinance No. 49-11

FINALLY PASSED, after accepting the amendments to the accompanying documents, by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener

Excused: 3 - Campos, Cohen, Mirkarimi

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

Recommendation of the Budget and Finance Committee

100962 [Appropriating $1,300,000 of General Fund Reserve - Ethics Commission Public Election Campaign Finance Fund for FY2010-2011]
Sponsors: Avalos; Mirkarimi, Campos and Mar
Ordinance appropriating $1,300,000 of General Fund Reserve for the Ethics Commission in the Public Election Campaign Finance Fund for FY2010-2011.
(Fiscal Impact.)

Supervisor Avalos, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to March 29, 2011. The motion carried by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

Recommendations of the Budget and Finance Sub-Committee

110154 [Appropriating $2,809,000 of General Fund Reserve - Fourth Street Bridge Project Litigation Expenses in FY2010-2011]
Sponsor: Mayor
Ordinance appropriating $2,809,000 from the General Fund Reserve to the Department of Public Works for litigation expenses related to the Santa Clara Superior Court Case between Mitchell Engineering/Obayashi Corporation v. City and County of San Francisco for the Fourth Street Bridge Project in FY2010-2011.
(Fiscal Impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

110148 [Lease - ParkWide Activities, LLC - Master Bike Rental Concession Operation]
Resolution authorizing the Recreation and Park Department General Manager to enter into a lease with ParkWide Activities, LLC, for the operation of a Master Bike Rental Concession in City Parks. (Recreation and Park Department)

Resolution No. 127-11

ADOPTED by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

110168 [Lease of Real Property - 1421 Broderick Street]
Resolution authorizing the exercise of a ten year option to extend the lease of the 12,417 square foot building located at 1421 Broderick Street for the Department of Public Health. (Real Estate Department)

Resolution No. 128-11

ADOPTED by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

From the Budget and Finance Sub-Committee Without Recommendation

110175 [Settlement of Unlitigated Claims - East Bay Regional Park District - Public Utilities Commission Calaveras Dam Replacement Project]
Resolution approving the settlement of the unlitigated claims between the City and County of San Francisco and the East Bay Regional Park District (EBRPD) related to the San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program, Calaveras Dam Replacement Project, in Alameda County, calling for SFPUC to pay EBRPD $2,000,000 related to project construction activities, and including other material terms and conditions in a settlement and release agreement. (City Attorney)

Resolution No. 130-11

ADOPTED by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

110187 [CEQA Findings - Public Utilities Commission Calaveras Dam Replacement Project]
Sponsor: Elsbernd
Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Water System Improvement Program Calaveras Dam Replacement Project, in Alameda and Santa Clara Counties, including the mitigation habitat actions at various sites; and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

Resolution No. 131-11

ADOPTED by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

Recommendations of the Land Use and Economic Development Committee

101523 [Planning Code, Administrative Code - Development Impact and In-Lieu Fees]
Sponsor: Mayor

Ordinance amending the San Francisco Planning Code by: 1) amending Section 409 to clarify that the Annual Infrastructure Cost Inflation Adjustments to development fees authorized by the section do not need further action by the Board of Supervisors, to provide that the Planning Director be included in the annual fee reporting process, and to make other technical amendments to simplify the annual fee reporting process and ensure that the Controller's Office and the Capital Planning Program coordinate their efforts; 2) amending Sections 413.6 and 415.5 to provide that the annual adjustments to the Jobs-Housing Linkage and Affordable Housing fees shall be made at the same time as the cost inflation adjustments are made to the other development fees; 3) amending other sections of Article 4 to clarify language, eliminate confusion as to when requirements must be met, and correct errors in cross-referencing; and 4) adding an uncodified section providing that (a) if a development fee was evaluated in 2010 or 2011, it need not be included in the 2011 five-year evaluation and (b) authorizing the Controller to make the 2011 Infrastructure Cost Inflation Adjustments to the development fees in April rather than January; amending the San Francisco Administrative Code by repealing Section 38.14 (the Severability Clause) and moving it to Section 430; and adopting environmental, Planning Code Section 302, and Planning Code Section 101.1 findings.

Supervisor Mar, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

110024 [Planning Code - Zoning Map Amendment - Correction to Market and Octavia Area Plan Zoning]
Sponsor: Mirkarimi

Ordinance amending Zoning Map Sheet No. 2 of the San Francisco Planning Code to include parcels inadvertently excluded from the Zoning Map amendment adopted to implement the Market and Octavia Plan (Ordinance No. 72-08) affecting the area roughly bounded by a line beginning at the intersection of Buchanan and Fell Street, continuing northwest, thence northeast on Grove Street, continuing northwest at Laguna Street, thence heading northeast on Turk Street, continuing southeast at Franklin Street, thence continuing southwest at Fell Street to the starting point at the intersection of Buchanan Street, to eliminate use districts within the Market and Octavia Plan Area and replace them with revised use districts, consistent with those proposed in the Market and Octavia Area Plan; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING to March 22, 2011. The motion carried by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

110070 [Planning Code - Zoning - Upper Fillmore Neighborhood Commercial District]
Sponsor: Farrell
Ordinance amending the San Francisco Planning Code by amending Sections 703.3 and 718.1 and the Zoning Control Table for the Upper Fillmore NCD to: 1) allow as a conditional use on the first floor a new full-service restaurant, large fast food restaurant, small self-service restaurant or self-service specialty food establishment that is not defined as a formula retail use; and 2) add Specific Provisions to the Zoning Control Table to allow a bar associated with a full-service restaurant as a conditional use and require the Planning Commission to consider daytime usage on the block in conditionally approving a new restaurant; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

Recommendations of the Rules Committee

110117 [Administrative Code - Publication Requirements]
Sponsor: Mirkarimi
Ordinance amending the San Francisco Administrative Code Section 2.97 to define "Summary" for the purpose of publishing "Public Notices."

Supervisor Avalos, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED ON FIRST READING to March 22, 2011. The motion carried by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

110150 [Administrative Code - Process for Mayoral Appearance at the Board of Supervisors]
Sponsors: Chiu; Mar
Ordinance amending the San Francisco Administrative Code by adding Section 2.11 to establish a process for the Mayor to appear at the Board of Supervisors for a question and answer session.

Ordinance No. 51-11

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

110213 [Hearing - Emergency Ordinance Extending Municipal Elections Code Deadlines for Possible June 2011 Election]
Sponsor: Chiu
Hearing of persons interested in or objecting to the proposed Emergency Ordinance authorizing the Director of Elections to extend deadlines in the San Francisco Municipal Elections Code by no more than 15 days for a possible special municipal election to be held in June 2011.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 110278. John Arntz, Director, Department of Elections, provided an overview of the emergency ordinance. There were no speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report

110278 [Municipal Elections Code - Emergency Ordinance Extending Municipal Elections Code Deadlines for Possible June 2011 Election]
Sponsor: Chiu
Emergency Ordinance authorizing the Director of Elections to extend deadlines in the San Francisco Municipal Elections Code by no more than 15 days for a possible special municipal election to be held in June 2011.

Ordinance No. 53-11

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Elsbernd, seconded by Supervisor Wiener, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

Supervisor Elsbernd introduced, welcomed, and presented a Certificate of Honor to dancers of the Wild Swans Theatre Company in recognition of St. Patrick's Day, their accomplishments, and continued community support.

Privilege of the floor was granted to Kay Gulbengay, Chair, and Emily Murase, Executive Director, Commission on the Status of Women, who provided an overview of Women's History Month.

WOMEN'S HISTORY MONTH
Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Women's History Month, their accomplishments, and their continued community support as referenced below:
Supervisor Wiener recognized Debra Niemann;
Supervisor Mar recognized Leticia Alcantar;
Supervisor Kim, on behalf of Supervisor Mirkarimi, recognized Carlina Hansen;
Supervisor Kim recognized Nella Manuel;
Supervisor Farrell recognized Crystal Brown;
Supervisor Elsbernd recognized Yvonne Sangiacomo;
Supervisor Chu, on behalf of Supervisor Cohen, recognized Kimberly Ellis;
Supervisor Chu recognized Angela Tickler;
Supervisor Chiu recognized Gerry Crowley;
Supervisor Avalos, on behalf of Supervisor Campos, recognized Eileen Hansen;
Supervisor Avalos recognized Jacqueline Zapata Chavez; and
Jason Elliott (Mayor's Office), on behalf of Mayor Lee, recognized Anni Chung.

SPECIAL ORDER 4:00 P.M.

110202 [Public Hearing - Appeal of Final Environmental Impact Report - Calaveras Dam Replacement Project]

Hearing of persons interested in or objecting to the decision of the Planning Commission's January 27, 2011, Certification of a Final Environmental Impact Report identified as Planning Case No. 2005.0161E, through its Motion No. 18261, for the proposed Calaveras Dam Replacement Project located in unincorporated areas of Alameda and Santa Clara Counties. (Appellant: Gregory Stepanicich, on behalf of the East Bay Regional Park District.)
(Filed February 14, 2011; Companion to File Nos. 110203, 110204, 110205.)

The President inquired as to whether any member of the public wished to address the Board relating to the appeal. Ted Radosevich (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. There were no speakers in support of the appeal. Chris Kern (Planning Department) provided an overview of the decision of the Planning Department. Dan Wade (SFPUC) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Male Speaker spoke in support of the project and in opposition to the appeal. Ted Radosevich (Appellant) indicated there was no rebuttal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

110203 [Affirming Certification of Calaveras Dam Replacement Project Final Environmental Impact Report]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Calaveras Dam Replacement Project.

Motion No. M11-40

Supervisor Elsbernd, seconded by Supervisor Avalos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

110204 [Reversing Certification of Calaveras Dam Replacement Project Final Environmental Impact Report]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the Calaveras Dam Replacement Project.

Supervisor Elsbernd, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

110205 [Preparation of Findings to Reverse Certification of Calaveras Dam Replacement Project Final Environmental Impact Report]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the Calaveras Dam Replacement Project.

Supervisor Elsbernd, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

COMMITTEE REPORT

From the City Operations and Neighborhood Services Committee Without Recommendation

110283 [Urging Avalon Bay Communities to Utilize Sub-Contractors that Compensate Workers Consistent with Area Standard Wages]

Sponsor: Avalos

Resolution encouraging Avalon Bay Communities to sub-contract all carpentry crafts to a responsible contractor that pays area standard wages and benefits and has a State of California certified apprenticeship program and journeyman upgrade training.

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to March 29, 2011. The motion carried by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed various concerns.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.
Ace Washington; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

110212 [Committee of the Whole - Hearing to Consider and Approve an Emergency Ordinance Extending Municipal Elections Code Deadlines for Possible June 2011 Election]

Sponsor: Chiu

Motion that the Board of Supervisors convene as a Committee of the Whole on March 15, 2011, at 3:00 p.m., to consider an emergency ordinance authorizing the Director of Elections to extend deadlines in the Municipal Elections Code by no more than 15 days for a possible special municipal election to be held in June 2011. (Clerk of the Board)

Motion No. M11-38

APPROVED

110293 [Monsignor Oscar Romero Day - March 26, 2011]

Sponsors: Campos; Elsbernd, Mar and Avalos

Resolution declaring March 26, 2011, as Monsignor Oscar Romero Day in San Francisco, to honor a person who dedicated themselves to, and ultimately gave their life for, social justice and human rights protection, and preached the message of peace, non-violence, reconciliation, and love.

Supervisors Elsbernd, Mar, and Avalos requested to be added as co-sponsors.

Resolution No. 133-11

ADOPTED

110295 [Extension of 45 Days for Planning Commission Review - Market and Octavia Plan Area]

Sponsor: Wiener

Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Section 415.5 to provide a new land dedication alternative in the Market and Octavia Plan Area, in lieu of payment of the affordable housing fee, and adding Section 415.10 to provide for the requirements of such land dedication, and making findings, including environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

Resolution No. 132-11

ADOPTED

110260 [Final Map 5889: 619, 631-633 Taraval Street]

Motion approving Final Map 5889, a 9 Unit Mixed-Use (6 Unit Residential and 3 Unit Commercial) Condominium Project, located at 619, 631-633 Taraval Street being a subdivision of Lots 039, 040, and 042A in Assessors Block No. 2409 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M11-39

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener

Excused: 3 - Campos, Cohen, Mirkarimi

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

110312 [Zoning Map Amendment - 701 Lombard Street]
Sponsors: Mayor; Chiu
Ordinance amending the San Francisco Zoning Map by amending the zoning designation for 701 Lombard Street (Assessor's Block No. 74, Lot No. 01) from North Beach Neighborhood Commercial District and 40-X Height and Bulk District to "P" (Public) and "OS" (Open Space) Height and Bulk District for the new North Beach Public Library or other public use and for purposes of consistency with the adjacent Public and Open Space zoning designation of the Joe DiMaggio Playground; amending the Zoning Map to remove 701 Lombard Street from the Telegraph Hill - North Beach Residential Special Use District and the North Beach Special Use District; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

03/15/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/14/2011.

110313 [Settlement Agreement and Lease Amendment - Forty Niners, Ltd.]
Sponsors: Mayor; Chiu, Cohen and Farrell
Ordinance authorizing a settlement agreement and related lease amendment with the San Francisco Forty Niners, Ltd. (the 49ers) to settle a claim made by the 49ers on June 18, 2010, against the City and County of San Francisco relating to the condition of Candlestick Stadium; exempting any new City policy requirements that the City's Administrative Code would otherwise require for a material amendment to the lease.

03/15/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110316 [Street Vacation Order - Joe DiMaggio Playground Master Plan - Mason Street]
Sponsors: Mayor; Chiu
Ordinance ordering the vacation of the one block portion of Mason Street between Lombard Street and Columbus Avenue for purposes of the North Beach Public Library and Joe DiMaggio Playground Master Plan, subject to certain conditions; accepting a Department of Public Works work order; approving an interdepartmental transfer of the area to be vacated from the Department of Public Works to the Recreation and Park Department at the time the vacation is final and effective; making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

03/15/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110330 [Administrative Code - Public Work Construction Contractor/Subcontractor Appeal Hearing Procedures for Non-Compliance with Prevailing Wage Requirements]
Sponsor: Chiu
Ordinance amending the San Francisco Administrative Code, Section 6.22, Public Work Construction Contract Terms and Working Conditions, by amending Subsection 6.22(E)(8) to further delineate due process procedures for administrative hearings on appeals by public work contractors and/or subcontractors from a Certification of Forfeiture made by the City's Labor Standards Enforcement Officer or responsible department head for non-compliance with prevailing wage requirements; and to additionally conform distribution of forfeiture provisions to State law.

03/15/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

110010 [Planning Code - Zoning - NC-3 District of Fillmore Street between Bush and McAllister Streets]
Sponsor: Mirkarimi
Ordinance: 1) amending Section 145.4 of the San Francisco Planning Code to require active ground-floor commercial uses in properties fronting on Fillmore Street between Bush and McAllister Streets in the NC-3 District; and 2) adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

01/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/3/2011.

01/12/11; REFERRED TO DEPARTMENT.

01/14/11; RESPONSE RECEIVED.

03/09/11; RESPONSE RECEIVED.

03/15/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Resolutions

110314 [Street Vacation - Resolution of Intention - Joe DiMaggio Playground Master Plan - Mason Street]
Sponsors: Mayor; Chiu
Resolution declaring the intention of the Board of Supervisors to vacate the one block portion of Mason Street between Lombard Street and Columbus Avenue for purposes of the North Beach Public Library and Joe DiMaggio Playground Master Plan, subject to certain conditions; and setting the hearing date for all persons interested in the proposed vacation of said public right-of-way.

03/15/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110317 [Apply for Grants - Caltrans Transportation Planning]
Sponsors: Mayor; Wiener
Resolution authorizing the San Francisco Planning Department to apply for planning grants from the California Department of Transportation (Caltrans).

03/15/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110318 [Accept and Expend Grant - Used Motor Oil Recycling - $114,138]
Sponsor: Mar
Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $114,138 from the California Department of Resources Recycling and Recovery for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management.

03/15/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110319 [Accept and Expend Grant - Audiovisual Digitization Project - $9,998]
Sponsor: Chu
Resolution authorizing the Public Library to accept and expend a grant in the amount of $9,998 from the California State Library, as part of the Federal Library Services and Technology Act, for preserving and providing access to the Public Library's unique audiovisual collections and creating standard procedures for future audiovisual digitization projects.

03/15/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110320 [Presidio Branch Library Reopening]
Sponsor: Farrell
Resolution recognizing the grand reopening of the Presidio Branch Library and commending the Public Library and its team for their hard work and commitment to San Francisco and its residents.

03/15/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110321 [Accept and Expend Grant - Marina Green Bicycle Trail - $97,339]
Sponsor: Farrell
Resolution authorizing the Department of Public Works to accept and expend a grant in the amount of $97,339 from the Association of Bay Area Governments for the Marina Green Bicycle Trail project between Laguna Street and Buchannan Street.

03/15/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110322 [Accept and Expend Gift - Mayor's Annual Earth Day Breakfast - $12,000]
Sponsor: Mayor
Resolution authorizing the Department of the Environment to accept and expend a gift in the amount of $12,000 from Wells Fargo Bank, to sponsor the Mayor's Annual Earth Day Breakfast on April 20, 2011, at City Hall.

03/15/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110328 [CEQA Findings - Treasure Island/Yerba Buena Island Development Project]
Sponsor: Mayor
Resolution adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations in connection with the development of Treasure Island and Yerba Buena Island, as envisioned in the Redevelopment Plan for the Treasure Island/Yerba Buena Island Project Area.

03/15/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110291 [Disposition and Development Agreement and Interagency Cooperation Agreement - Treasure Island/Yerba Buena Island]
Sponsor: Mayor
Resolution approving a Disposition and Development Agreement between the Treasure Island Development Authority and Treasure Island Community Development, LLC, for certain real property located within the Treasure Island/Yerba Buena Island Project Area; approving an Interagency Cooperation Agreement between the City and the Treasure Island Development Authority; adopting findings under the California Environmental Quality Act; and adopting findings that the agreements are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.
(Economic Impact, Fiscal Impact.)

03/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

03/15/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

110289 [Homeless Development Initiative Agreement - Treasure Island/Yerba Buena Island]
Sponsor: Mayor
Resolution approving the amended and restated Base Closure Homeless Assistance Agreement with the Treasure Island Homeless Development Initiative.
(Economic Impact.)

03/08/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

03/15/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

Motions

110329 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the June 7, 2011, Consolidated Special Election]
Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 7, 2011, Consolidated Special Election. (Clerk of the Board)

03/15/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110331 [Closed Session – Lawsuit - CTIA v. CCSF – Case No. 10-3224]
Sponsor: Chiu
Motion that Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with or receiving advice from the City Attorney regarding a lawsuit entitled CTIA v. City and County of San Francisco, Case No. 10-3224, filed in the Northern District of California, related to an ordinance adopted by the Board often referred to as the "Cell Phone Right to Know" Legislation.

This closed session is held pursuant to Government Code Section 54957.6 and Administrative Code Section 67.10(d)(1). Discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending lawsuit.

03/15/11; RECEIVED AND ASSIGNED to Board of Supervisors.

Requests for Hearing

110315 [Hearing - Street Vacation Order - Joe DiMaggio Playground Master Plan - Mason Street]
Sponsors: Mayor; Chiu
Hearing of persons interested in or objecting to proposed Ordinance ordering the vacation of the one block portion of Mason Street between Lombard Street and Columbus Avenue for purposes of the North Beach Public Library and Joe DiMaggio Playground Master Plan, subject to certain conditions; accepting a Department of Public Works work order; approving an interdepartmental transfer of the area to be vacated from the Department of Public Works to the Recreation and Park Department at the time the vacation is final and effective; making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.
03/15/11; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

110323 [Hearing - Blight Ordinance Update]
Sponsors: Avalos; Chiu
Hearing for an update from the Department of Public Works on the implementation and effectiveness of the 2009 Blight Ordinance amending Administrative Code Chapter 80, Section 80.4.
03/15/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110324 [Hearing - Vacant Building Ordinance Update]
Sponsors: Avalos; Chiu
Hearing for an update from the Department of Building Inspection on the implementation and effectiveness of the 2009 Vacant Building Ordinance which added Building Code Section 103A.4.
03/15/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110325 [Hearing - Federal Budget Impacts for FY2011-2012]
Sponsor: Chu
Hearing on the Federal budget impacts on San Francisco for FY2011-2012.
03/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110326 [Hearing - DCYF Budget Update for FY2011-2012]
Sponsor: Chu
Hearing for an update on the FY2011-2012 budget submission from the Department of Children, Youth, and Families.
03/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110327 [Hearing - HSA Budget Update for FY2011-2012]
Sponsor: Chu
Hearing for an update on the FY2011-2012 budget submission from the Human Services Agency.
03/15/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

110300 [Development Agreement - Parkmerced]
Ordinance approving a Development Agreement between the City and County of San Francisco and Parkmerced Investors, LLC, for certain real property located in the Lake Merced District of San Francisco, commonly referred to as Parkmerced, generally bounded by Vidal Drive, Font Boulevard, Pinto Avenue and Serrano Drive to the north, 19th Avenue and Junipero Serra Boulevard to the east, Brotherhood Way to the south, and Lake Merced Boulevard to the west; making findings under the California Environmental Quality Act, findings of conformity with the City's General Plan and with the eight priority policies of Planning Code Section 101.1(b); and waiving certain provisions of Administrative Code Chapter 56. (Planning Department)
(Economic Impact.)

03/15/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110301 [Planning Code - Special Use District - Parkmerced]
Ordinance amending the San Francisco Planning Code by amending Sections 102.5 and 201 to include the Parkmerced Zoning Districts; adding Section 249.64 to establish the Parkmerced Special Use District for the property consisting of Assessor's Block Nos. 7303, 7303A, 7308 through 7311, 7309A, 7315 through 7323, 7325 and 7326, 7330, 7331 (Lot No. 4), 7332 (Lot No. 4), 7333 (Lot Nos. 1 and 3), 7333A, 7333B, 7333C, 7333D, 7333E, 7334 through 7345, 7345A, 7345B, 7345C, 7356 through 7359, and 7360 through 7370; amending Planning Code Section 270 to refer to the Parkmerced Special Use District; and adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Commission)
(Economic Impact.)

03/04/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110302 [Planning Code - Zoning Map Amendments - Parkmerced]
Ordinance amending the San Francisco Planning Code by amending Sectional Maps ZN13, HT13, and SU13 of the Zoning Map of the City and County of San Francisco to reflect the Parkmerced Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1. (Planning Commission)
(Economic Impact.)

03/04/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110303 [General Plan Amendment - Parkmerced]
Ordinance amending the San Francisco General Plan by amending the Urban Design Element Height Map with respect to the Parkmerced site; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Commission)
(Economic Impact.)

03/04/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTION

110210 [Airline/Airport Lease and Use Agreements - Various Airlines]
Resolution approving leases to the terms of eight (8) new Airline/Airport Lease and Use Agreements between the City and various airlines, effective July 1, 2011, to allow such Airlines to conduct domestic and international flight operations at San Francisco International Airport. (Airport Commission)

03/15/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

In Memoriams

Earthquake and Tsunami Victims in Sendai, Japan – Board President David Chiu
Earthquake Victims in Yunnan Province, China – Board President David Chiu

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:07 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 19, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 30 2011

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PUBLIC LIBRARY

Tuesday, March 15, 2011 - 2:05 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Special Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Fewer, Maufas, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Members Present: John Avalos, David Chiu, Carmen Chu, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, Supervisors Campos, Cohen, and Mirkarimi were noted absent. There was a quorum.

Supervisors Campos, Cohen, and Mirkarimi Excused from Voting

Supervisor Avalos, seconded by Supervisor Farrell, moved that Supervisors Campos, Cohen, and Mirkarimi be excused from voting. The motion carried by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

AGENDA CHANGES

There were none.

COMMITTEE REPORT

Recommendation of the Budget and Finance Sub-Committee

110239 [Redevelopment Agency FY2010-2011 Budget Amendment]
Sponsor: Mayor
Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for FY2010-2011 Budget to: (1) authorize an additional expenditure in an amount not to exceed $75,440,000; and (2) approve the issuance by the Redevelopment Agency of Bonds in an additional principal amount not to exceed $70,000,000 to finance a portion of redevelopment activities described in the approved Budget, as amended, for FY2010-2011. (Fiscal Impact.)

Resolution No. 126-11

ADOPTED by the following vote:

Ayes: 8 - Avalos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Wiener
Excused: 3 - Campos, Cohen, Mirkarimi

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 2:11 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 19, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 30 2011

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, March 22, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Fewer, Maufas, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, Supervisors Avalos, Chu, and Kim were noted absent. There was a quorum.

Supervisor Avalos Excused from Voting

Supervisor Campos, seconded by Supervisor Mirkarimi, moved that Supervisor Avalos be excused from voting. The motion carried by the following vote:

Ayes: 8 - Campos, Chiu, Cohen, Elsbernd, Farrell, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos
Absent: 2 - Chu, Kim

AGENDA CHANGES

There were none.

Supervisors Chu and Kim were noted present at 2:10 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of February 15, 2011. The motion carried by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Budget and Finance Sub-Committee

110154 [Appropriating $2,809,000 of General Fund Reserve - Fourth Street Bridge Project Litigation Expenses in FY2010-2011]

Sponsor: Mayor

Ordinance appropriating $2,809,000 from the General Fund Reserve to the Department of Public Works for litigation expenses related to the Santa Clara Superior Court Case between Mitchell Engineering/Obayashi Corporation v. City and County of San Francisco for the Fourth Street Bridge Project in FY2010-2011.
(Fiscal Impact.)

Ordinance No. 57-11

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

110235 [Accept and Expend Grant - Medicare Improvements for Patients and Providers Act - $143,128]

Sponsor: Campos

Resolution authorizing the Department of Aging and Adult Services to accept and expend a grant in the amount of $143,128 from the Centers for Medicare and Medicaid Services and the Administration on Aging, passed through the California Department on Aging, to assist in expanding Medicare beneficiary enrollment and outreach activities aimed at preventing disease and promoting health.

Resolution No. 137-11

ADOPTED

Recommendation of the Land Use and Economic Development Committee

110070 [Planning Code - Zoning - Upper Fillmore Neighborhood Commercial District]
Sponsor: Farrell

Ordinance amending the San Francisco Planning Code by amending Sections 703.3 and 718.1 and the Zoning Control Table for the Upper Fillmore NCD to: 1) allow as a conditional use on the first floor a new full-service restaurant, large fast food restaurant, small self-service restaurant or self-service specialty food establishment that is not defined as a formula retail use; and 2) add Specific Provisions to the Zoning Control Table to allow a bar associated with a full-service restaurant as a conditional use and require the Planning Commission to consider daytime usage on the block in conditionally approving a new restaurant; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Ordinance No. 56-11

FINALLY PASSED

Recommendations of the Rules Committee

110146 [Settlement of Lawsuit - Liberato Primer, Jr. - $125,000]

Ordinance authorizing settlement of the lawsuit filed by Liberato Primer, Jr., against the City and County of San Francisco for $125,000; the lawsuit was filed on October 5, 2009, in the San Francisco Superior Court, Case No. CGC 09-493199, entitled Liberato Primer, Jr. v. City and County of San Francisco. (City Attorney)

Ordinance No. 58-11

FINALLY PASSED

110173 [Settlement of Lawsuit - Esther Downes, et al. - $350,000]

Ordinance authorizing entry of judgment, pursuant to Federal Rule of Civil Procedure 68, in favor of Plaintiffs Esther Downes and the Estate of Issiah Downes, and against the City and County of San Francisco, in the amount of $350,000 in settlement of the lawsuit filed on October 1, 2010, in United States District Court, Case No. C10-4451 CW entitled "Esther Downes, et al. v. City and County of San Francisco, et al." (City Attorney)

Ordinance No. 54-11

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

101523 [Planning Code, Administrative Code - Development Impact and In-Lieu Fees]
Sponsor: Mayor

Ordinance amending the San Francisco Planning Code by: 1) amending Section 409 to clarify that the Annual Infrastructure Cost Inflation Adjustments to development fees authorized by the section do not need further action by the Board of Supervisors, to provide that the Planning Director be included in the annual fee reporting process, and to make other technical amendments to simplify the annual fee reporting process and ensure that the Controller's Office and the Capital Planning Program coordinate their efforts; 2) amending Sections 413.6 and 415.5 to provide that the annual adjustments to the Jobs-Housing Linkage and Affordable Housing fees shall be made at the same time as the cost inflation adjustments are made to the other development fees; 3) amending other sections of Article 4 to clarify language, eliminate confusion as to when requirements must be met, and correct errors in cross-referencing; and 4) adding an uncodified section providing that (a) if a development fee was evaluated in 2010 or 2011, it need not be included in the 2011 five-year evaluation and (b) authorizing the Controller to make the 2011 Infrastructure Cost Inflation Adjustments to the development fees in April rather than January; amending the San Francisco Administrative Code by repealing Section 38.14 (the Severability Clause) and moving it to Section 430; and adopting environmental, Planning Code Section 302, and Planning Code Section 101.1 findings.

Ordinance No. 55-11

FINALLY PASSED by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

110024 [Planning Code - Zoning Map Amendment - Correction to Market and Octavia Area Plan Zoning]
Sponsor: Mirkarimi

Ordinance amending Zoning Map Sheet No. 2 of the San Francisco Planning Code to include parcels inadvertently excluded from the Zoning Map amendment adopted to implement the Market and Octavia Plan (Ordinance No. 72-08) affecting the area roughly bounded by a line beginning at the intersection of Buchanan and Fell Street, continuing northwest, thence northeast on Grove Street, continuing northwest at Laguna Street, thence heading northeast on Turk Street, continuing southeast at Franklin Street, thence continuing southwest at Fell Street to the starting point at the intersection of Buchanan Street, to eliminate use districts within the Market and Octavia Plan Area and replace them with revised use districts, consistent with those proposed in the Market and Octavia Area Plan; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

Recommendation of the Rules Committee

110117 [Administrative Code - Publication Requirements]
Sponsor: Mirkarimi
Ordinance amending the San Francisco Administrative Code Section 2.97 to define "Summary" for the purpose of publishing "Public Notices."

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

101564 [Memorandum of Understanding - 34th America's Cup]
Sponsors: Mayor; Chiu, Mirkarimi, Elsbernd and Chu
Resolution approving a Memorandum of Understanding between the City Controller and the Port Commission regarding the 34th America's Cup under Charter Section B7.320.
(Fiscal Impact.)

Resolution No. 134-11

ADOPTED by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

110120 [2011 Annual Joint Fundraising Drive]
Resolution designating those agencies qualified to participate in the 2011 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

Resolution No. 135-11

ADOPTED by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

From the Budget and Finance Sub-Committee Without Recommendation

110184 [De-Appropriating $15,479,251 of Market Rate Bond Proceeds and Re-Appropriating to Below Market Rate - Seismic Safety Loan Program - FY2010-2011]

Sponsor: Mayor

Ordinance de-appropriating $15,479,251 of Market Rate General Obligation Bond Proceeds, Series 2007A, and re-appropriating $15,479,251 to the Below Market Rate Seismic Safety Loan Program in the Mayor's Office of Housing for FY2010-2011 and maintaining on Controller's reserve the appropriation equal to the unsold portion of the bonds.
(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

Recommendation of the Government Audit and Oversight Committee

110241 [Setting the 2011 Budget and Legislative Analyst Services Work Plan]

Sponsor: Campos

Motion approving the Budget and Legislative Analyst Services work plan for 2010, which: (a) allocates hours for calendar year 2011; (b) authorizes the Budget and Legislative Analyst to reallocate up to 10 percent of the hours between service categories based on Board of Supervisors service needs; and (c) requires Board of Supervisors approval of hours re-allocation greater than 10 percent; and establishes performance goals and sets a date for the 2011 Annual Performance Evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

Motion No. M11-41

APPROVED by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

Recommendation of the Land Use and Economic Development Committee

110176 [CEQA Findings - Public Utilities Commission Bay Division Pipeline Nos. 3 and 4 Project]

Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Bay Division Pipeline Nos. 3 and 4, Project No. CUW35302, part of the Water System Improvement Program for the improvements to the regional water supply system; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

Resolution No. 136-11

ADOPTED by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

There were none.

SPECIAL ORDER 4:00 P.M.

Supervisor Elsbernd Excused from Voting

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that Supervisor Elsbernd be excused from voting on File Nos. 110041, 110042, 110043, and 110044. The motion carried by the following vote:

Ayes: 9 - Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 2 - Avalos, Elsbernd

110041 [Appeal of Determination of Exemption from Environmental Review - 795 Foerster Street, 203 Los Palmos Drive, 207 Los Palmos Drive, and 213 Los Palmos Drive]

Hearing of persons interested in or objecting to the decision of the Planning Department and Commission dated June 8, 2009, Case No. 2008.0558E, that a project located at 795 Foerster Street, 203 Los Palmos Drive, 207 Los Palmos Drive, and 213 Los Palmos Drive is exempt from environmental review under Categorical Exemption, Classes 1 and 3 (State Guidelines Sections 15301(l)(4) and 15303(a)). The proposed project involves the subdivision of two existing lots into four and the construction of three new single-family homes fronting on Los Palmos Drive, Lot Nos. 116 and 117 in Assessor's Block No. 3027A. (District 7) (Appellant: Stephen M. Williams, on behalf of the Miraloma Park Improvement Club).
(Filed January 7, 2011; Companion Measure to File Nos. 110042, 110043. 110044.)

The President inquired as to whether any member of the public wished to address the Board. Steve Williams (Appellant) provided an overview of the appeal and requested the Board to approve the appeal. Kamal Obeid; Karen Brussler; Ed Kelly; Megan Tayler; Zina Marzolli; Paul Michaelson; Peter Rintera; spoke in support of the appeal. Lisa Gibson and Andrea Contreras (Planning Department) provided an overview of the decision of the Planning Department and Commission. Brett Gladstone (Project Sponsor) provided an overview of the project and requested the Board to uphold the decision of the Planning Department and Commission. Eddy Lau; spoke in support of the project and in opposition to the appeal. Steve Williams and Kamal Obeid (Appellants) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

110042 [Affirming the Exemption Determination - 795 Foerster Street, 203 Los Palmos Drive, 207 Los Palmos Drive, and 213 Los Palmos Drive]

Motion affirming the determination by the Planning Department and Commission that the project located at 795 Foerster Street, 203 Los Palmos Drive, 207 Los Palmos Drive, and 213 Los Palmos Drive is exempt from environmental review. (Clerk of the Board)

Motion No. M11-44

Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 2 - Avalos, Elsbernd

110043 **[Reversing the Exemption Determination - 795 Foerster Street, 203 Los Palmos Drive, 207 Los Palmos Drive, and 213 Los Palmos Drive]**
Motion reversing the determination by the Planning Department and Commission that the 795 Foerster Street, 203 Los Palmos Drive, 207 Los Palmos Drive, and 213 Los Palmos Drive project is exempt from environmental review. (Clerk of the Board)

Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 2 - Avalos, Elsbernd

110044 **[Preparation of Findings to Reverse the Exemption Determination - 795 Foerster Street, 203 Los Palmos Drive, 207 Los Palmos Drive, and 213 Los Palmos Drive]**
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department and Commission that the project located at 795 Foerster Street, 203 Los Palmos Drive, 207 Los Palmos Drive, and 213 Los Palmos Drive is exempt from environmental review. (Clerk of the Board)

Supervisor Chu, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 2 - Avalos, Elsbernd

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Keith Dennis; expressed various concerns relating medical marijuana.
Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed various concerns.
Dale Seymour; expressed concerns relating to drive-bys in the Tenderloin.
Leslie; expressed various concerns relating to smart meters.
Male Speaker; expressed various religious concerns.
Jonathan Gast, representing Congressmember Jackie Speier; spoke acknowledging the work of the City and County of San Francisco.
Jamie Whittaker; expressed concerns relating to traffic control.
Ace Washington; expressed various concerns.
Charles Pitts; expressed concerns relating to appointments.

CLOSED SESSION - CONFERENCE WITH CITY ATTORNEY - Existing Litigation

110331 [Closed Session – Lawsuit - CTIA v. CCSF – Case No. 10-3224]
Sponsor: Chiu

Motion that Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with or receiving advice from the City Attorney regarding a lawsuit entitled CTIA v. City and County of San Francisco, Case No. 10-3224, filed in the Northern District of California, related to an ordinance adopted by the Board often referred to as the "Cell Phone Right to Know" Legislation.

This closed session is held pursuant to Government Code Section 54957.6 and Administrative Code Section 67.10(d)(1). Discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending lawsuit.

The President inquired as to whether any member of the public wished to address the Board regarding convening in closed session. There were no speakers. The President declared public comment closed.

Motion No. M11-42

Supervisor Mirkarimi, seconded by Supervisor Mar, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

CONVENED IN CLOSED SESSION

The Board recessed at the hour of 3:08 p.m. to convene in closed session pursuant to the above motion.

The following Supervisors were noted present: Supervisors Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Persons in attendance:
Cheryl Adams, Deputy City Attorney
Vince Chhabria, Deputy City Attorney
Angela Calvillo, Clerk of the Board
Rick Caldeira, Legislative Deputy Director

Matter was heard in Closed Session and continued to April 5, 2011.

RECONVENING OF THE BOARD

The Board at the hour of 4:24 p.m. reconvened.

The following Supervisors were noted present: Supervisors Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Mirkarimi, seconded by Supervisor Farrell, moved not disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

110331 [Closed Session – Lawsuit - CTIA v. CCSF – Case No. 10-3224]
Sponsor: Chiu
Motion that Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with or receiving advice from the City Attorney regarding a lawsuit entitled CTIA v. City and County of San Francisco, Case No. 10-3224, filed in the Northern District of California, related to an ordinance adopted by the Board often referred to as the "Cell Phone Right to Know" Legislation.

This closed session is held pursuant to Government Code Section 54957.6 and Administrative Code Section 67.10(d)(1). Discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending lawsuit.

Supervisor Elsbernd, seconded by Supervisor Farrell, moved that this Motion be CONTINUED AS APPROVED to April 5, 2011. The motion carried by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

110319 [Accept and Expend Grant - Audiovisual Digitization Project - $9,998]
Sponsor: Chu
Resolution authorizing the Public Library to accept and expend a grant in the amount of $9,998 from the California State Library, as part of the Federal Library Services and Technology Act, for preserving and providing access to the Public Library's unique audiovisual collections and creating standard procedures for future audiovisual digitization projects.

Resolution No. 138-11

ADOPTED

110320 [Presidio Branch Library Reopening]
Sponsor: Farrell
Resolution recognizing the grand reopening of the Presidio Branch Library and commending the Public Library and its team for their hard work and commitment to San Francisco and its residents.

Resolution No. 139-11

ADOPTED

110321 [Accept and Expend Grant - Marina Green Bicycle Trail - $97,339]
Sponsor: Farrell
Resolution authorizing the Department of Public Works to accept and expend a grant in the amount of $97,339 from the Association of Bay Area Governments for the Marina Green Bicycle Trail project between Laguna Street and Buchannan Street.

Resolution No. 140-11

ADOPTED

110322 [Accept and Expend Gift - Mayor's Annual Earth Day Breakfast - $12,000]
Sponsor: Mayor
Resolution authorizing the Department of the Environment to accept and expend a gift in the amount of $12,000 from Wells Fargo Bank, to sponsor the Mayor's Annual Earth Day Breakfast on April 20, 2011, at City Hall.

Resolution No. 141-11

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Elsbernd requested that File No. 110329 be severed so that it may be considered separately.

110329 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the June 7, 2011, Consolidated Special Election]
Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 7, 2011, Consolidated Special Election. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be AMENDED on Page 1, Line 16, by deleting 'Campos, Mar, Avalos, Chiu'; Line 21, by deleting 'Chu, Mar, Kim, Wiener'; on Page 2, Line 10, by deleting 'Chu, Farrell'; and by deleting lines 12-15. The motion carried by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

Motion No. M11-43

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener
Excused: 1 - Avalos

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

110348 [Health Code - Regulation of Biological Agent Detectors]
Sponsor: Chiu
Ordinance amending the San Francisco Health Code by adding Article 35 to create a registration scheme and requirements for Biological Agent Detectors.

03/22/11; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 4/21/2011.

110349 [Accept and Expend Grant - Office of Financial Empowerment Direct Deposit Program - Citywide Electronic Pay and Amendment to the Annual Salary Ordinance for FY2010-2011 - $240,000]
Sponsor: Campos
Ordinance authorizing the Office of the Treasurer-Tax Collector to accept and expend a grant in the amount of $240,000 from the Earned Assets Resource Network for implementing the Office of Financial Empowerment Direct Deposit Program, and amending Ordinance 191-10 (Annual Salary Ordinance, FY2010-2011) to provide for the creation of one (1) grant-funded position in the Office of Financial Empowerment.

03/22/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Resolutions

110350 [Annual Reports - Yerba Buena Community Benefit District]
Sponsor: Kim
Resolution regarding Yerba Buena Community Benefit District Annual Reports to the City by receiving and approving the District's Annual Reports for FYs 2008-2009 and 2009-2010, which include the District's proposed budget for FY2010-1011, as submitted, pursuant to Section 36650 of the Property and Business Improvement District Law of 1994 (California Streets and Highways Code §§36600 et seq.) and Section 3.4 of the District's management contract with the City.

03/22/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110351 [Authorizing Expenditures from SOMA Community Stabilization Fund - $100,000]
Sponsors: Mayor; Kim
Resolution authorizing the Mayor's Office of Housing to expend SOMA Community Stabilization funds in the amount of $120,000 to provide grants to nonprofit organizations for: 1) a SOMA Community Coordinator to coordinate and focus community participation related to the development of 333 Harrison; 2) assistance in reassessing and refining the SOMA Community Stabilization Fund Strategic Plan; and 3) a union journey-level instructor to provide employment training for SOMA residents.

03/22/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110352 [Disproportionate Federal Cuts to the Community Development Block Grant Program]
Sponsors: Mayor; Chu, Avalos, Chiu, Mirkarimi, Kim and Mar
Resolution urging the Federal government to minimize the cuts to the Community Development Block Grant Program proposed by the President and the United States Congress.

03/22/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110353 [Multifamily Housing Revenue Indebtedness - Not to Exceed $41,000,000]
Sponsor: Cohen
Resolution declaring the intent of the City and County of San Francisco (City) to: 1) reimburse certain expenditures from proceeds of future indebtedness; 2) authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocations Committee (CDLAC) for an allocation of indebtedness (Allocation) in an aggregate principal amount not to exceed $41,000,000 for Hunters View Phase IA; 3) authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; 4) authorizing the Director to certify to CDLAC that the City has on deposit the required amount; 5) authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to use such Allocation; 6) approving, for purposes of the Internal Revenue Code of 1986, as amended, the execution and delivery of a mortgage revenue note by the City in an aggregate principal amount not to exceed $41,000,000; 7) authorizing and directing the execution of any documents necessary to implement this Resolution; and 8) ratifying and approving any action heretofore taken in connection with the Project as defined herein and the Application as defined herein.

03/22/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110354 [Extension of 30 Days for Planning Commission Review - Self-Service Restaurants]
Sponsor: Mirkarimi
Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance amending the San Francisco Planning Code by amending Sections 710, 730, 733A, 733A.1, 790.90, 790.91, and 790.102 to: 1) increase the maximum use size for Small Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district and eliminate the limit on the number of seats; 2) increase the minimum size for Large Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district; 3) principally permit Small Self-Service Restaurants and Video Stores in Neighborhood Commercial Cluster (NC-1) and Neighborhood Commercial Transit Cluster (NCT-1) Districts; 4) conditionally permit Large Self-Service Restaurants in the Inner Sunset Neighborhood Commercial District; 5) require that mechanical noise and vibration from Self-Service Restaurants be confined to the premises; and 6) remove the prohibition of on-site food preparation and cooking and reheating equipment in Retail Coffee Stores; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

03/22/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

110355 [Protection of Safely Produced and Well Managed Youth Events]
Sponsor: Wiener
Resolution calling for the protection of safely produced and well managed youth events, including music oriented events, in the City and County of San Francisco.

03/22/11; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

110356 [Hearing - Budget, Labor, and Service Standards - Municipal Transportation Agency]
Sponsor: Chiu
Hearing on the Municipal Transportation Agency, including, but not limited to, the budget, ongoing labor negotiations, the Agency's priorities across all modes, and key performance indicators such as recent customer surveys and on-time performance data from the Agency's Service Standards.
03/22/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110357 [Hearing - Executive Park Area Neighborhood Plan]
Sponsor: Cohen
Hearing on the proposed neighborhood plan for the Executive Park area.
03/22/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110358 [Hearing - Education Fund Programs and Partnerships]
Sponsor: Cohen
Hearing on the programs and partnerships of the San Francisco Education Fund.
03/22/11; RECEIVED AND ASSIGNED to City and School District Select Committee.

110359 [Hearing - Controller's Budgetary Overtime Costs Status Report - Largest Departments/Users]
Sponsor: Campos
Hearing on the Controller's report of the status of current and projected budgetary overtime costs for the largest departments and the largest users of overtime hours.
03/22/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110360 [Hearing - City Services Auditor's Report - Fire Department Payroll]
Sponsor: Campos
Hearing on the Controller's Office, City Services Auditor's Report concerning the payroll of the San Francisco Fire Department, covering the period from July 1, 2009, through June 30, 2010.
03/22/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110361 [Hearing - Hospital Costs in the Bay Area]
Sponsor: Campos
Hearing on comparative costs of hospitals in the San Francisco Bay Area addressing the following: 1) what are the trends and drivers of Hospital Costs in the San Francisco Bay Area; 2) how do the costs of services at different hospitals compare to one another; 3) is there a relationship between quality of care and costs; 4) will future development plans by San Francisco hospitals affect costs for members of the City and Country Health Service system and for San Francisco residents that are self-insured or receive health insurance from private employers; and 5) how has the Health Service System worked to control costs and plan to control future cost increases, including its support for the launch of the accountable care organizations.
03/22/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110362 [Hearing - Fire Department Budget Update for FY2011-2012]
Sponsor: Chu
Hearing to receive update on the Fire Department's budget for FY2011-2012.
03/22/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110363 [Hearing - Police Department Budget Update for FY2011-2012]
Sponsor: Chu
Hearing to receive update on the Police Department's budget for FY2011-2012.
03/22/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110364 [Hearing - Recreation and Park Department Budget Update for FY2011-2012]
Sponsor: Chu
Hearing to receive update on the Recreation and Park Department budget for FY2011-2012.
03/22/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110365 [Hearing - Sheriff Department Budget Update for FY2011-2012]
Sponsor: Chu
Hearing to receive update on the Sheriff Department's budget for FY2011-2012.
03/22/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by the President at the Request of a Department

PROPOSED RESOLUTION

110247 [Acceptance of Easement - Stanislaus County - San Joaquin Pipeline System Project]
Resolution approving and authorizing an acceptance of an Easement Deed for a perpetual exclusive easement for the installation, construction, operation, inspection, maintenance, repair, and replacement of water pipelines, utilities and related appurtenances in the real property, being a portion of River Road, located in Stanislaus County, required for the San Joaquin Pipeline System Project No. CUW37301; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this resolution. (Real Estate Department)
03/11/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the public property located at the following locations:

Utility Boxes
95 Delmar
Southwest corner of 6th Avenue and Lincoln
Northeast corner of Oak and Masonic
Northwest corner of Fillmore and Hermann
Southwest corner of Waller and Steiner

Emergency Boxes
Northeast corner of 3rd Avenue and Irving
Southeast corner of Cole and Frederick

Parking Meters
1608 Irving

Parking and Traffic Signs
1237 Masonic
Approximately 10 Beulah

Potholes
1636 Irving
Intersection 16th Avenue and Irving

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Northwest corner of 16th Avenue and Irving
Northwest corner of Funston and Irving

San Francisco Chronicle
701 Cole

Common Ground
Northwest corner of Funston and Irving

USA Today
Northwest corner of Funston and Irving

Auto Weekly
Northwest corner of Funston and Irving

Advertiser
400 Irving

SF Weekly
Southeast corner of 19th Avenue and Lincoln

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

1053 Haight St.
1081 Haight St.
930 Haight St., on side
1328 Haight St.
1327 Haight St.
323 Lincoln
1621 Lincoln
1707 Lincoln
522 Frederick
840 Stanyan
800 Irving, on 19th Ave.
400 Irving
400 Duboce, on the Fillmore and Church side
1777 Haight St.
1789 Haight St.
1795 Haight St.
1347 Oak
350 Laguna
300 Laguna
546 Haight St.
542 Haight St.
418 Haight St.
1167 Oak
100 Scott

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Pole
367 Haight
Southwest corner of Fillmore and Laussant
Near 109 Fillmore
Southeast corner of Haight and Fillmore, on Haight
Southeast corner of Fillmore and Haight, on Fillmore
200 block of Haight, 2 poles near the UC campus
870 Haight St.
930 Haight St.
962 Haight St.
1016 Haight St.
1126 Haight St.
Approximately 1165 Haight St.
1292 Haight St.
1340 Haight St.
15 Frederick
130 Frederick
390 Frederick
Approximately 494 Frederick
Approximately 630 Frederick
1049 Lincoln

1641 Lincoln
123 Beulah
Approximately 105 Beulah
Northwest corner of Beulah and Cole

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans
1601 Lincoln
Southeast corner of 19th Avenue and Lincoln (one on 19th Ave., one on Lincoln)
Northeast corner of 11th Avenue and Irving
Southeast corner of Cole and Haight
Southwest corner of Haight and Fillmore
Southeast corner of Fillmore and Page

Mailboxes
Northeast corner of Baker and Haight
Southeast corner of Frederick and Stanyan
Southwest corner of Funston and Lincoln
Southwest corner of Octavia and Page

Street Walls and Overpasses
Southeast corner of 19th Avenue and Irving
Approximately 1280 Irving
Statue of William McKinley, east side of Panhandle

Public Benches
Southwest corner of Masonic and Haight
Opposite 1865 Oak, in Panhandle
Opposite 1809 Oak, in Panhandle
Opposite 1665 Oak, in Panhandle

In Memoriams

Florence Brown – Supervisor Cohen
Nicholas Armanino – Supervisor Elsbernd
Cameron Beach – Full Board
Peter Nardoza – Full Board
Brian Samuel Connolly Heron – Supervisor Mirkarimi

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:26 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 26, 2011.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 30 2011

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, March 29, 2011 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND, MARK FARRELL, JANE KIM, ERIC MAR, ROSS MIRKARIMI, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Chu, Mirkarimi, Kim, Wiener, Chiu	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Chu, Mirkarimi, Kim	Wednesday 10:00 AM
City and School District Select Committee Supervisors Cohen, Avalos, Chu, Fewer, Maufas, Norton	2nd and 4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Avalos, Mar, Elsbernd	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Campos, Farrell, Chiu	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Mirkarimi, Cohen, Campos	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Elsbernd, Farrell	1st and 3rd Thursday 1:30 PM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Ross Mirkarimi, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:14 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Rules Committee

110169 **[Appointment, Transbay Joint Powers Authority - Carter R. Rohan]**
Resolution confirming the appointment of Carter R. Rohan, R. A., to serve on the Transbay Joint Powers Authority as an Alternate Member for Nathaniel P. Ford, Sr. (Municipal Transportation Agency)

Resolution No. 144-11

ADOPTED

110067 **[Appointments, Shelter Monitoring Committee - Judy Kerns, Amanda Colson Heier, Maxine Pauson, and Will Daley]**
Motion appointing Judy Kerns, Amanda Colson Heier, Maxine Pauson, and Will Daley, terms ending November 23, 2012, to the Shelter Monitoring Committee. (Clerk of the Board)

Motion No. M11-45

APPROVED

110219 **[Appointment, Citizens' General Obligation Bond Oversight Committee - Thea Selby]**
Motion appointing Thea Selby, term ending November 21, 2012, to the Citizens' General Obligation Bond Oversight Committee. (Clerk of the Board)

Motion No. M11-46

APPROVED

110267 [Appointment, Assessment Appeals Board No. 1 - Mark Watts]
Motion appointing Mark Watts, term ending September 3, 2012, to Assessment Appeals Board No. 1. (Clerk of the Board)

Motion No. M11-47

APPROVED

110272 [Appointment, Assessment Appeals Board No. 2 - Mervin Conlan, and Joyce Lewis]
Motion appointing Mervin Conlan, term ending September 2, 2013, and Joyce Lewis, term ending September 3, 2012, to Assessment Appeals Board No. 2. (Clerk of the Board)

Motion No. M11-48

APPROVED

110306 [Appointments, Veterans Affairs Commission - Eduardo Ramirez, John Caldera, Edwin Wilkerson, Stephen Noetzel, and Regaldo Baldonado]
Motion appointing Eduardo Ramirez, John Caldera, Edwin Wilkerson, Stephen Noetzel, and Regaldo Baldonado, terms ending January 31, 2015, to the Veterans Affairs Commission. (Clerk of the Board)

Motion No. M11-49

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

100962 [Appropriating $1,300,000 of General Fund Reserve - Ethics Commission Public Election Campaign Finance Fund for FY2010-2011]
Sponsors: Avalos; Mirkarimi, Campos and Mar
Ordinance appropriating $1,300,000 of General Fund Reserve for the Ethics Commission in the Public Election Campaign Finance Fund for FY2010-2011.
(Fiscal Impact.)

Supervisor Mar requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Kim, Mar, Mirkarimi
Noes: 5 - Chu, Cohen, Elsbernd, Farrell, Wiener

From the Budget and Finance Sub-Committee Without Recommendation

110184 [De-Appropriating $15,479,251 of Market Rate Bond Proceeds and Re-Appropriating to Below Market Rate - Seismic Safety Loan Program - FY2010-2011]

Sponsor: Mayor

Ordinance de-appropriating $15,479,251 of Market Rate General Obligation Bond Proceeds, Series 2007A, and re-appropriating $15,479,251 to the Below Market Rate Seismic Safety Loan Program in the Mayor's Office of Housing for FY2010-2011 and maintaining on Controller's reserve the appropriation equal to the unsold portion of the bonds.
(Fiscal Impact.)

Ordinance No. 61-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

From the City Operations and Neighborhood Services Committee Without Recommendation

110283 [Urging Avalon Bay Communities to Utilize Sub-Contractors that Compensate Workers Consistent with Area Standard Wages]

Sponsor: Avalos

Resolution encouraging Avalon Bay Communities to sub-contract all carpentry crafts to a responsible contractor that pays area standard wages and benefits and has a State of California certified apprenticeship program and journeyman upgrade training.

Resolution No. 153-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Land Use and Economic Development Committee

110024 [Planning Code - Zoning Map Amendment - Correction to Market and Octavia Area Plan Zoning]
Sponsor: Mirkarimi
Ordinance amending Zoning Map Sheet No. 2 of the San Francisco Planning Code to include parcels inadvertently excluded from the Zoning Map amendment adopted to implement the Market and Octavia Plan (Ordinance No. 72-08) affecting the area roughly bounded by a line beginning at the intersection of Buchanan and Fell Street, continuing northwest, thence northeast on Grove Street, continuing northwest at Laguna Street, thence heading northeast on Turk Street, continuing southeast at Franklin Street, thence continuing southwest at Fell Street to the starting point at the intersection of Buchanan Street, to eliminate use districts within the Market and Octavia Plan Area and replace them with revised use districts, consistent with those proposed in the Market and Octavia Area Plan; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Ordinance No. 60-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendation of the Rules Committee

110117 [Administrative Code - Publication Requirements]
Sponsor: Mirkarimi
Ordinance amending the San Francisco Administrative Code Section 2.97 to define "Summary" for the purpose of publishing "Public Notices."

Ordinance No. 59-11

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

110256 [Opposing Elimination of Adult Day Health Center Programs]
Sponsors: Kim; Avalos, Mar, Campos, Mirkarimi and Chiu
Resolution opposing the proposed elimination of Medi-Cal funding for Adult Day Health Center programs in the State of California.
(Supervisor Chu dissented in committee.)

Resolution No. 152-11

ADOPTED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi, Wiener
Noes: 3 - Chu, Elsbernd, Farrell

110284 [Ten Year Capital Expenditure Plan - FYs 2012-2021]
Sponsors: Mayor; Chiu
Resolution adopting the City's ten year capital expenditure plan for FYs 2012-2021.
(Fiscal Impact.)

Resolution No. 151-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Budget and Finance Sub-Committee

110236 [Accept and Expend Grant - Buffer Zone Protection Program - $579,090]
Sponsor: Elsbernd
Resolution authorizing the Department of Emergency Management, for the City and County of San Francisco, as fiscal agent for the Bay Area region, to retroactively accept and expend a FY2008 Buffer Zone Protection Program Grant in the amount of $579,090 from the U.S. Department of Homeland Security through the California Emergency Management Agency to fund critical planning and infrastructure protection needs.

Resolution No. 145-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110237 [Approval of TEFRA Hearing for Issuance of Tax-Exempt Revenue Bonds - Episcopal Senior Communities - Not to Exceed $120,000,000]
Sponsor: Farrell
Resolution approving the issuance of tax-exempt revenue bonds, by the ABAG Finance Authority for Nonprofit Corporations, for purposes of Section 147(f) of the Internal Revenue Code in an aggregate principal amount not to exceed $120,000,000 to finance and refinance various capital facilities owned by Episcopal Senior Communities.

Resolution No. 146-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110240 [Accept and Expend Grant - Electric Vehicle Charging Equipment - $251,000]
Sponsors: Mayor; Mar
Resolution authorizing the San Francisco Department of the Environment to accept forty seven (47) electric vehicle chargers and three (3) years of service from Coulomb Technologies, Inc., as a sub-award under Grant DE-EE0003391 using Federal Recovery Act Funds from the U.S. Department of Energy to Coulomb for these purposes.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 143-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110286 [Accept and Expend Grant - San Francisco Bridge to Success Program - $3,000,000]

Sponsors: Mayor; Mar

Resolution authorizing the Department of Children, Youth and Families to retroactively accept and expend grant funding in the amount of $3,000,000 from the Bill and Melinda Gates Foundation to fund the San Francisco Bridge to Success Program, a partnership between the City and County of San Francisco, City College of San Francisco, and the San Francisco Unified School District, to double the number of low income youth who earn post-secondary credentials by age 26 for the period of August 13, 2010, through August 31, 2013.

Supervisor Mar requested to be added as a co-sponsor.

Resolution No. 150-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110287 [Equipment Lease - 2011 Finance Corporation Equipment Program - Revenue Bonds - Not to Exceed $16,500,000]

Sponsor: Mayor

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an Equipment Lease Supplement No. 17 (Series 2011A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to certain equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $16,500,000; approving the form of the official statement and the distribution thereof in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.
(Fiscal Impact.)

Resolution No. 147-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Recommendations of the Land Use and Economic Development Committee

101053 [Planning Code - Zoning - Establishing Consistent Setback, Street Frontage, Off-Street Parking, and Other Planning Code Requirements and Procedures Across Various Use Districts]

Sponsor: Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 124, 132.2, 136, 144, 145, 145.1, 145.5, 150, 151.1, 155, 161, 186, 206.3, 209.8, 210.3, 212, 231, 243, 253, 253.2 and 307, and by repealing Sections 175.1, 175.2, 175.3, 175.4, 175.5, 209.10, and 249.26 to: 1) create comprehensive and consistent street frontage controls for residential districts; 2) create consistent ground floor controls for industrial districts; 3) permit certain small corner commercial uses in RM-3 and RM-4 districts; 4) modify floor area ratio controls in the Van Ness Special Use District; 5) modify conditional use requirements for buildings over 40 feet in RM and RC districts; 6) amend the procedure for granting exceptions from off-street parking and loading requirements; 7) allow parking and loading exceptions to preserve historic buildings and landmark trees; 8) make certain Planning Code controls consistent across C-3 Districts; and 9) streamline language and correct out-of-date Code references; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110010 [Planning Code - Zoning - NC-3 District of Fillmore Street between Bush and McAllister Streets]

Sponsor: Mirkarimi

Ordinance: 1) amending Section 145.4 of the San Francisco Planning Code to require active ground-floor commercial uses in properties fronting on Fillmore Street between Bush and McAllister Streets in the NC-3 District; and 2) adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110114 [Environment Code - Yellow Pages Distribution Pilot Program]

Sponsors: Chiu; Mar, Mirkarimi, Wiener and Cohen

Ordinance adding Chapter 20 to the Environment Code to establish a three-year pilot program to reduce waste in the distribution of Yellow Pages phone directories to private residences and businesses in San Francisco, and to reduce neighborhood blight, by restricting distribution to circumstances where: 1) there is personal delivery of the directory to a human being, 2) there has been a request for delivery of the directory to the residence or business, or 3) directories are maintained for pick-up at a distribution center or business open to the public; mandating a public outreach program to educate the public about the environmental harms associated with excessive distribution of Yellow Pages phone directories, develop and publicize alternatives to private possession of such directories, and inform the public of the option and means of obtaining such directories; and making environmental findings.

Supervisor Chiu, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

(Economic Impact.)

Privilege of the floor was granted to Ted Egan (Controller's Office) who responded to questions raised throughout the discussion.

Supervisor Elsbernd, seconded by Supervisor Farrell, moved that this Motion be RE-REFERRED AS AMENDED to the Land Use and Economic Development Committee. Supervisor Elsbernd withdrew his Motion.

Supervisor Chiu, seconded by Supervisor Cohen, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING to May 10, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Cohen, seconded by Supervisor Campos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guest. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to Dr. Andre Campbell of San Francisco General Hospital in recognition of his accomplishments and continued community support.

SPECIAL ORDER 4:00 P.M.

110261 [Public Hearing - Appeal of Final Environmental Impact Report - 350 Mission Street Project]

Hearing of persons interested in or objecting to the decision of the Planning Commission's February 10, 2011, Certification of a Final Environmental Impact Report identified as Planning Case No. 2006.1524E, through its Motion No. 18265, for the proposed 350 Mission Street Project. (District 6) (Appellant: Alex DeGood, on behalf of the owners of 50 Beale Street). (Filed March 2, 2011; Companion File Nos.110262,110263,110264.)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.

Supervisor Elsbernd, seconded by Supervisor Mar, moved that this Hearing be CONTINUED to April 12, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

The President CONTINUED the Hearing open to April 12, 2011.

110262 [Affirming Certification of Final Environmental Impact Report - 350 Mission Street Project]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 350 Mission Street Project.

Supervisor Elsbernd, seconded by Supervisor Mar, moved that this Motion be CONTINUED to April 12, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110263 [Reversing Certification of Final Environmental Impact Report - 350 Mission Street Project]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 350 Mission Street Project.

Supervisor Elsbernd, seconded by Supervisor Mar, moved that this Motion be CONTINUED to April 12, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110264 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - 350 Mission Street Project]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 350 Mission Street Project.

Supervisor Elsbernd, seconded by Supervisor Mar, moved that this Motion be CONTINUED to April 12, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

SPECIAL ORDER 4:00 P.M.

110206 [Public Hearing - Appeal of Final Environmental Impact Report - Parkmerced Project]

Hearing of persons interested in or objecting to the decision of the Planning Commission's February 10, 2011, Certification of a Final Environmental Impact Report identified as Planning Case No. 2008.0021E, through its Motion No. 18629, for the proposed Parkmerced Project located at 3711-19th Avenue. (Appellants: Julian P. Lagos, on behalf of Coalition to Save Parkmerced, Filed March 1, 2011; Healani Ting, on behalf of Parkmerced Action Coalition, Filed March 2, 2011; Bernard Choden, on behalf of San Francisco Tomorrow, Filed March 2, 2011; and Maria Elena Guerrero Engber, Filed March 2, 2011).
(Filed March 1 and 2, 2011; Companion to File Nos. 110207, 110208, 110209.)

The President inquired as to whether any member of the public wished to address the Board. Julian Lagos; Eric Brooks; Mitchell Olmerberg; Maria Elena Guerrero Engber (Appellants) provided an overview of the appeal and further requested the Board to approve the appeal. Mr. Lagos also spoke to the perceived conflict of interest of Supervisors Elsbernd and Chu. Cheryl Adams, Deputy City Attorney, opined that Supervisors Elsbernd and Chu do not have a conflict of interest and may participate in the proceedings. Bernie Choden; Lora Travelor; Jennifer Clary; Female Speaker; Cathy Lentz; Howard Strassner; Linh Ho; Steve Zeltser; Ben Vagery; James Sodeman; Jean Adams; Lee Parmelee; Andrei Zelentsovsky; Tommi Avicolli-Mecca; Charles Miller; Hiroshi Fukuda; Female Speaker; Aaron Goodman; Terence Faulkner; Ronaldo Vezzazi; Rose Hillson; Mani Drayton; Judith Flynn; Healani Ting; Michael Russom; Lynn Hambolu; Female Speaker; Kim Arbachen; Mary Miles; Dean Preston; Ted Gullickson; Robley Passalacqua; Mike Vezzali; Jon Kim; Female Speaker; Mary Anne Greb; Sarah Manafee; Mark Gregory; Maria Elena; Mary Delgado; Gail Meadows; John Hivel; Bill Herbert; spoke in support of the appeal. Rick Cooper and Bill Wycko (Planning Department) provided an overview of the decision of the Planning Commission and responded to questions raised throughout the discussion. Marlena Byrne and Charles Sullivan (City Attorney's Office) and Michael Yarne (Mayor's Office of Economic and Workforce Development) responded to questions raised throughout the discussion. Mary Murphy (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Jeff Fricka; Jim Lazarus; Gina Teichert; Bill Blackwell; Male Speaker; Tony Zhang; Byron Kuth; Mike Theriault; Chris Campbell; Marci Newman; Robert Reid; Avrum Shepard; Linda Corso; Adrian Simi (Carpenter's Local 22); Miriam Fontes; Matthew Fontes; Male Speaker; Danny Campbell; Gordon Reid; Male Speaker; Carl Hansen; Kaleb Adams; Heather Phillips; Ryan Harris; Javier Flores; Troy Martinez; Sylvia Rodriguez; Tom Murphy; Francois Hechinger; Todd Berger; Corey Bray; Pierre Luigi; Ed Reyes; Brook Turner; Ramsey Moureau; Male Speaker; Scotty Thomas; Sergio Garcia; Alex Reyes; Timothy Wright; Alejandro Romero; Mary Beth Sanders; Carol Koppel; Arne Larson; Jim Cooke; Mike Corbett; Otto Duffy; Jesus Villanueva; David Meckel; Brigette LeBlanc; Helen Thomas; Manny Flores; spoke in support of the project and in opposition to the appeal. Eric Brooks; Mitchell Olmerberg; Stuart Flashman; Bernie Choden (Appellants) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

110207 [Affirming Certification of Parkmerced Project Final Environmental Impact Report]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Parkmerced Project.

Supervisor Campos, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED to May 24, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110208 [Reversing Certification of Parkmerced Project Final Environmental Impact Report]
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the Parkmerced Project.

Supervisor Campos, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED to May 24, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

110209 [Preparation of Findings to Reverse Certification of Parkmerced Project Final Environmental Impact Report]
Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the Parkmerced Project.

Supervisor Campos, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED to May 24, 2011. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ace Washington; expressed various concerns.
Walter Paulson; shared in song certain concerns with the Board.
Eugene Ford; expressed various concerns.
Peter Warfield; expressed concerns relating to the SF Public Library.
Male Speaker; expressed various religious concerns.
Edmond Juicye; expressed various concerns.
Male Speaker; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

110317 [Apply for Grants - Caltrans Transportation Planning]
Sponsors: Mayor; Wiener
Resolution authorizing the San Francisco Planning Department to apply for planning grants from the California Department of Transportation (Caltrans).

Resolution No. 142-11

ADOPTED

110353 [Multifamily Housing Revenue Indebtedness - Not to Exceed $41,000,000]
Sponsor: Cohen

Resolution declaring the intent of the City and County of San Francisco (City) to: 1) reimburse certain expenditures from proceeds of future indebtedness; 2) authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocations Committee (CDLAC) for an allocation of indebtedness (Allocation) in an aggregate principal amount not to exceed $41,000,000 for Hunters View Phase IA; 3) authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; 4) authorizing the Director to certify to CDLAC that the City has on deposit the required amount; 5) authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to use such Allocation; 6) approving, for purposes of the Internal Revenue Code of 1986, as amended, the execution and delivery of a mortgage revenue note by the City in an aggregate principal amount not to exceed $41,000,000; 7) authorizing and directing the execution of any documents necessary to implement this Resolution; and 8) ratifying and approving any action heretofore taken in connection with the Project as defined herein and the Application as defined herein.

Resolution No. 148-11

ADOPTED

110354 [Extension of 30 Days for Planning Commission Review - Self-Service Restaurants]
Sponsor: Mirkarimi

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance amending the San Francisco Planning Code by amending Sections 710, 730, 733A, 733A.1, 790.90, 790.91, and 790.102 to: 1) increase the maximum use size for Small Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district and eliminate the limit on the number of seats; 2) increase the minimum size for Large Self-Service Restaurants in Neighborhood Commercial Districts to that of the non-residential use size limit for the district; 3) principally permit Small Self-Service Restaurants and Video Stores in Neighborhood Commercial Cluster (NC-1) and Neighborhood Commercial Transit Cluster (NCT-1) Districts; 4) conditionally permit Large Self-Service Restaurants in the Inner Sunset Neighborhood Commercial District; 5) require that mechanical noise and vibration from Self-Service Restaurants be confined to the premises; and 6) remove the prohibition of on-site food preparation and cooking and reheating equipment in Retail Coffee Stores; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Resolution No. 149-11

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Wiener requested that File No. 110355 be severed so that it may be considered separately.

110355 [Protection of Safely Produced and Well Managed Youth Events]
Sponsor: Wiener
Resolution calling for the protection of safely produced and well managed youth events, including music oriented events, in the City and County of San Francisco.

Resolution No. 154-11

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Ordinances

110335 [Campaign and Governmental Conduct Code - Gift Restrictions]
Sponsor: Cohen
Ordinance amending Campaign and Governmental Conduct Code Section 3.216 to: 1) prohibit loans from restricted sources and subordinates; and 2) modify the reporting requirements for elected officials receiving gifts of travel.

03/29/11; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/28/2011.

110336 [Appropriating General Fund for Loans Supporting Women's and LGBT Health Services in FY2010-2011 - $150,000]
Sponsors: Mirkarimi; Campos, Wiener and Chiu
Ordinance appropriating $150,000 from General Fund Balance to the Department of Public Health for Women's and LGBT health services in FY2010-2011.

03/29/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110337 [Business and Tax Regulations Code - Excluding Stock Compensation from Payroll Expense, Tax Years 2011 through 2013]
Sponsors: Mirkarimi; Campos and Mar
Draft ordinance amending Article 12-A of the Business and Tax Regulations Code by adding Section 906.4 to establish a payroll expense tax exclusion for tax years 2011 and 2012 of that portion of an eligible person's payroll expense that is attributable to stock compensation. (Fiscal Impact; Economic Impact.)

03/29/11; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/28/2011.

Resolutions

110338 [Accept and Expend Grant - Palace of Fine Arts Parking Mitigation Project - Not to Exceed $1,000,000]
Sponsor: Farrell
Resolution authorizing the San Francisco Recreation and Park Department to retroactively accept and expend a grant administered by the San Francisco County Transportation Authority in the amount not to exceed $1,000,000 for the Palace of Fine Arts Parking Mitigation Project.

03/23/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

110339 [Lease Renewal - 1449 Webster Street]
Sponsor: Mirkarimi
Resolution authorizing the exercise of an option to extend the lease of 3,900 sq. ft. at 1449 Webster Street for three years for the Office of Economic and Workforce Development Employment Assistance Programs.

03/29/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

110340 [Public Trust Exchange Agreement - Treasure Island/Yerba Buena Island]
Sponsor: Mayor
Resolution approving and authorizing the execution, delivery, and performance of a Public Trust Exchange Agreement between the Treasure Island Development Authority and the California State Lands Commission in furtherance of the Treasure Island/Yerba Buena Island Project.

03/29/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

110341 [Bishop Otis Charles Day - April 24, 2011]
Sponsor: Wiener
Resolution honoring Otis Charles and proclaiming April 24, 2011, to be Bishop Otis Charles Day in the City and County of San Francisco.

Requests for Hearings

110366 [Hearing - Comprehensive Annual Financial Report - FY Ended June 30, 2010]
Sponsor: Campos
Hearing for the City's external auditors (Macias Gini & O'Connell and KPMG) to present the Comprehensive Annual Financial Report (CAFR), single audit, and their management letters, if any, related to the City audit for FY ended June 30, 2010. This hearing is required under Charter Section 9.117.

03/29/11; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

110367 [Hearing - City's Comprehensive Community Development Strategies Plan]
Sponsor: Avalos
Hearing on the City's plan to ensure continuity of comprehensive community development strategies such as affordable housing, workforce, and commercial development, in the event that the State eliminates Redevelopment in California.

03/29/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110368 [Hearing - Joint Report - Three-Year Budget Projection for General Fund Supported Operations FY2011-2012 through FY2013-2014]
Sponsor: Chu
Hearing to review the Joint Report, concerning the 3 year Budget Projection for General Fund Support Operations FY2011-2012 through FY 2013-2014, from the Controller's Office, Mayor's Budget Office, and the Budget and Legislative Analyst's Office.

03/29/11; RECEIVED AND ASSIGNED to Budget and Finance Committee.

110370 [Hearing - Community Benefits Agreement Requirements for Payroll Expense Tax Exclusion in the Central Market Street and Tenderloin Area]
Sponsor: Kim
Hearing on the process of entering into a Community Benefits Agreement as required by the proposed payroll expense tax exclusion for businesses located in the Central Market Street and Tenderloin Area.

03/29/11; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Introduced by the President at the Request of a Department

PROPOSED RESOLUTION

110304 [Mental Health Services Act FY2011-2012 Plan Annual Update]
Resolution authorizing adoption of the Mental Health Services Act FY2011-2012 Plan Update for community services and support, prevention and early intervention, workforce education and training, innovation, capital facilities and technological needs, and modification of the Mental Health Services Act Agreement with the California Department of Mental Health, Contract No. 07-77338-000, to include this Annual Update. (Public Health Department)

03/16/11; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Requests Granted

From: Supervisor Mirkarimi
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation to allow KPOO/89.5 to broadcast Board of Supervisors meetings on Tuesdays.

From: Supervisor Chiu
To: City Attorney
To: Treasurer/Tax Collector
To: Director, Office of Economic and Workforce Development
To: Controller
Requesting/Inquiring: Requesting the City Attorney, in consultation with the Treasure/Tax Collector, Office of Economic and Workforce Development, and the Controller, to draft legislation related to stock options and the City's payroll tax.

From: Supervisor Avalos
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Requesting a detailed breakdown of the switchback statistics for the J-Church line from January through March of this year as presented at the hearing at the City Operations and Neighborhood Services Committee on March 28, 2011. This breakdown should disaggregate the reported 348 switchbacks that have occurred from January through March 25, 2011 and include, but not be limited to a breakdown by month of when the switchbacks occur; a breakdown of what times of day, whether during peak or off-peak hours, the switchbacks occur; a breakdown of where on the line the switchbacks occur; and the cause for the switchbacks.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of resolving problems with the conditions of street surfaces or sidewalks at the following locations:

Potholes
1777 Pine
Intersection of Pine and Scott
Intersection of Pine and Buchanan

Sidewalk Dumping
Approximately 2410 Pine

Dangerous Sidewalks
1480 Golden Gate
621 Fillmore
615 Fillmore
Approximately 2620 Pine
2200 Pine
Approximately 1910 Pine

Street Tree Issues
Approximately 574 Ivy

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes
380 Webster
Northeast corner of Oak and Webster
Opposite 831 Webster
Southwest corner of Eddy and Webster
Northeast corner Buchanan and Fell
Northeast corner Buchanan and Oak
Southwest corner of Page and Steiner
808 Oak, in parking lot
Southwest corner of Lyon and Golden Gate
Southwest corner of Turk and Laguna
Northwest corner of Cleary and Laguna
Northeast corner of Fillmore and Pine
2200 Pine
Southwest corner of McAllister and Friendship
Southwest corner of Gough and Page
Southwest corner of Webster and Geary
Southeast corner of Scott and Geary

Bus Shelters
Northeast corner of Divisadero and Geary
Southwest corner of Divisadero and Geary

Emergency Boxes
Southeast corner of Geary and Buchanan

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
Northeast corner of McAllister and Webster
Southeast corner of Eddy and Webster
Approximately 1625 Geary
Approximately 1675 Geary
Approximately 1965 Geary
Approximately 1985 Geary
Approximately 2025 Geary
Approximately 2065 Geary
Approximately 2095 Geary
Approximately 60 Garden
Approximately 90 Garden
Southeast corner of Broderick and Garden
1405 Broderick
Northwest corner of Divisadero and Geary
Southwest corner Buchanan and Haight
808 Oak, in parking lot
501 Steiner
Approximately 405 Austin
Approximately 495 Austin
Approximately 445 Austin
Approximately 419 Austin
Approximately 1110 Hayes
1404 Broderick
Approximately 15 Orben
2011 Golden Gate

Southeast corner of Baker and Golden Gate
1455 Golden Gate
722 Fillmore
Northeast corner of Page and Fillmore
Northeast corner of Page and Laguna
1910 Divisadero
2374 Pine
Northeast corner of Orben and Pine
2191 Pine
810 Fulton
740 Webster
780 Grove
580 Hayes
579 Hayes
519 Hayes
332 Fell
Approximately 1174 Gough
1150 McAllisiter
120 Page
Approximately 101 Page
2152 Pine
1710 Market St.
Northwest corner of Octavia and Market Street, in median
Approximately 1714 Market St.
1740 Market St.
Southeast corner of Octavia and Market St.
Southeast corner of Valencia and Market St.

Wood Poles
Southwest corner of Page and Webster
Approximately 80 Garden
Approximately 475 Austin
Approximately 11 Orben
450 Fillmore
340 Fillmore

Concrete Poles
Southeast corner of Ivy and Webster
Opposite 645 Webster
760 Webster
867 Webster
2013 Golden Gate
1835 Golden Gate
Southeast corner of Divisadero and Laguna
760 Grove

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans
Southeast corner of Turk and Webster
Southwest corner of Geary and Divisadero
Opposite 802 Steiner in Alamo Square
Northwest Pierce and Golden Gate
Southeast corner of Page and Fillmore

579 Hayes
501 Hayes
Northwest corner of Patricia's Green
Approximately 101 Page

Mailboxes
Northwest corner of Fulton and Webster
Northwest corner of Buchanan and Eddy
1755 Geary
Southeast corner of Scott and Geary
Northeast corner of Haight and Divisadero
Northwest corner of Divisadero and Geary
Northeast corner of McAllister and Scott
Northeast corner of Baker and Golden Gate
Southeast corner of Lyon and Golden Gate
Southeast corner of Scott and Golden Gate
Northwest corner of Page and Laguna
Southwest corner of Hayes and Laguna
Northwest corner of Fulton and Webster
Southwest corner of Haight and Gough

Public Buildings
Ella Hill Hutch Recreation Center, facing Golden Gate
Ella Hill Hutch Recreation Center, facing Buchanan
Public bathroom in Alamo Square, facing South

Public Benches
Opposite 710 Steiner in Alamo Square
North of Pierce and Hayes in Alamo Square
Opposite 1124 Fulton, second-tier of Alamo Square
579 Hayes

Street Walls and Overpasses
Ella Hill Hutch Recreation Center, facing Golden Gate
Ella Hill Hutch Recreation Center, interior wall of playground along Webster
Approximately 1815 Geary
Approximately 1901 Geary
Approximately 1190 Golden Gate
Approximately 1560 Golden Gate

Fire Hydrants
Approximately 1995 Geary
Northeast corner of Haight and Steiner
Southwest corner of Steiner and Golden Gate
1700 Market St.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following newsstands:

San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)

Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight
Northeast corner of Broderick and Geary
511 Hayes
1825 Post

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irving and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic
Northeast corner of Haight and Steiner
559 Hayes
Southwest corner of Divisadero and Geary

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
1600 Post

SF Daily
Northwest corner of Hayes and Gough

City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore
1825 Post
Northeast corner of Haight and Steiner
511 Hayes

Advertiser
Northeast corner of Broderick and Geary
Southwest corner of Divisadero and Geary

Jobs and Careers
1825 Post

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:
Residential and Commercial Buildings
380 Webster, on Oak
801 Hayes
55 Laguna, on the Haight Street side
333 Haight
295 Buchanan, on the Haight Street side
546 Haight
542 Haight
418 Haight
897 Webster

Approximately 1451 Eddy
Approximately 1530 Fillmore
1865 Post
Opposite 75 Western Shores Lane
Buchanan at Western Shores Lane, on east side
Approximately 40 Garden
2015 Geary, on side
861 Divisadero
803 Divisadero
285 Divisadero
811 Oak
501 Steiner, on side
761 Golden Gate, on west side
998 Golden Gate, on Divisadero side
1621 Golden Gate
1570 Golden Gate
1513 Golden Gate
1110 Steiner, on side
1101 Fillmore, on Golden Gate
400 Waller, on awning
Opposite 421 Hickory
790 Page, on side
2190 Geary
417 Laguna, on side
Northwest corner of Laguna and Hayes
1619 Laguna, on side
2338 Pine
2189 Pine
1801 Octavia, on side
1881 Pine
1559 Franklin, on side
1441 Gough
559 Ivy
501 Hayes
320 Steiner
399 Steiner, on side
357 Pierce
324 Hayes
580 Hayes
1740 Market St.
1707 Market St.

Planter Boxes
316 Fillmore
597 Hayes

Parking Lots
Approximately 30 Garden
Northeast corner of Hayes and Laguna
1805 Geary

In Memoriams

Joseph Alioto – Entire Board
Charles McGlashan – Entire Board

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 9:17 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 3, 2011.

Angela Calvillo, Clerk of the Board

233486

Houchen
Bindery Ltd